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MARCH MEETING

THE stated meeting was held on Thursday, the 9th instant, at three o'clock, P. M.; the first VICE-PRESIDENT, in the absence of the President, in the chair.

The record of the last meeting was read and approved; and the Librarian read the usual list of donors to the Library.

The Corresponding Secretary reported the receipt of a letter from the Recording Secretary of the New England Historic Genealogical Society relating to the death of Mr. J. J. Musket and a work by him on *Suffolk Manorial Families*; also a letter from the same Society suggesting co-operation by various societies, by the appointment of delegates, in the movement for the preservation of ancient names of streets, places, etc. By a vote of the Council the Society joins in the movement; and Mr. MEAD was appointed the delegate.

The Editor reported the gift of a certificate, under the Quaker form, of the marriage at Salem, Massachusetts, November 18, 1819, of Stephen Bowen, of Newport, Rhode Island, and Esther Shove, of Danvers, Massachusetts, containing the signatures of fifty-nine witnesses. It was received from Mrs. Charles F. Withington, of Boston.

Mr. RANTOUL submitted a memoir of John Noble.

George Hubbard Blakeslee, of Worcester, was elected a Resident Member of the Society, and Andrew Dickson White, of Ithaca, New York, a Corresponding Member, was transferred to the roll of Honorary Members.

The Vice-President reported the appointment by the Council of the following Committees, in preparation for the Annual Meeting in April:

To nominate Officers for the ensuing year,

Messrs. JOHN D. LONG, ARNOLD A. RAND and
CHARLES P. GREENOUGH.

To examine the Treasurer's accounts,

Messrs. THOMAS MINNS and HAROLD MURDOCK.

To examine the Library and Cabinet,
Messrs. FREDERICK J. TURNER, HENRY M. LOVERING
and GARDNER W. ALLEN.

Mr. NORCROSS exhibited a copy of the second issue of "Poor Richard, 1734. An Almanack . . . Philadelphia: printed and sold by Benjamin Franklin at the new printing office, near the market."

The Recording Secretary announced that the Society has been asked to co-operate in a movement for the preparation and publication of a Dictionary of American Biography on the plan of the English Dictionary of Biography; and that the Council has expressed its cordial approval of the movement and sympathy with it, and has appointed Mr. THAYER as delegate to meet with delegates from other societies to promote the enterprise.

The first VICE-PRESIDENT then said:

It is my sad duty this afternoon to announce the death of Francis Cabot Lowell, a Resident Member, which took place in Boston three days ago, on March 6. He was an only son of George Gardner and Mary Ellen (Parker) Lowell, of this city, where he was born on January 7, 1855. While of distinguished ancestry, he needed no family influence to place him in the various high positions which he held with much credit to himself and with honor to the community. From his scholarly habits, and by his mental training together with his high sense of justice, he was singularly fitted to follow a judicial career, in which he achieved so much distinction. In this line of legal learning he seems to have inherited a natural taste for the work, as other members of his family had occupied similar positions in the same Court of the United States.

His connection with the government of Harvard College had been both close and important; and at the time of his death he was one of the Corporation as other members of his family had been in previous years. He had served, also, in the State Legislature, where his ability and integrity had left their mark on the public mind and had foreshadowed for him a life of honor and usefulness.

Judge Lowell was chosen a member of the Society on January 9, 1896, but the duties of the Court have prevented his

frequent attendance at these meetings. Agreeably to long usage on such occasions, at the next meeting Mr. Moorfield Storey, who is unavoidably absent this afternoon, will pay the customary tribute to his worth and character.

I would remind the members that it is just twelve years ago to-day since the Society first met in this room. During this interval of time a good majority of the membership has been chosen, so that somewhat more than one half of our present roll does not have any associations whatever with No. 30 Tremont Street. To them the old building is a mere tradition, while to the others it is a pleasant memory.

Mr. JONATHAN SMITH read the following paper on

TWO WILLIAM SCOTTS OF PETERBOROUGH, N. H.

In the Revolutionary War there served to the credit of Peterborough, New Hampshire, two William Scotts. They were first cousins and both were residents of the town. Each was a captain, and one of them rose to the rank of major and subsequently to lieutenant-colonel by brevet. One served in the First New Hampshire regiment of the Continental line, the other in Colonel Jackson's Massachusetts regiment of the Continental line. In all local, regimental and other histories the records of these men both during and subsequent to the war are very much mixed; the services of the one being often accredited to the other, and *vice versa*. Both were in the army through the entire war and rendered honorable and even brilliant service. In the interest of historical truth the tangle should be straightened out.

The first of these William Scotts, hereinafter to be called "Major Scott," was born in the province of Ulster, probably in or near Coleraine, Ireland, in 1744, and was the son of Archibald Scott, who never came to this country. When his family went on board ship for America, the father declared he would "not go anywhere where he could not touch bottom with his stick." The son arrived in this country in 1760, and went immediately to Peterborough. November 17, 1760, he enlisted into Captain Silas Brown's company of Colonel — regiment and served five months and seven days. Upon his discharge he returned to Peterborough, where he resided until 1775. At

the outbreak of the Revolution he was keeping store, then the only one in town. On hearing of the march of the British into Middlesex County, which was on the morning of April 19, he melted his leaden weights into bullets and joined the Peterborough men who started for Cambridge about noon of that day. Reaching the scene of war, he set about recruiting and in three days had a company of 63 officers and men, all from his own town or from those in its immediate vicinity, and was assigned to Paul Dudley Sargent's regiment. Colonel Sargent was from Amherst, New Hampshire, but held a commission from Massachusetts. In May or early June, he was sent with his company to Hog Island, near Boston, and from there crossed to Noddle's Island and carried off a number of cattle and horses from under the enemy's fire. On the same evening a British armed schooner, sent to annoy the American forces, was so harassed by the American shots that the men quit the decks of the vessel, and it drifted on the ways of Winnisimmet Ferry and British barges were sent to extricate her. Scott, in command of a party of soldiers, waded into the water and under a brisk fire of the enemy set the ship on fire, burning it to the water's edge. Major Scott brought off his men in safety.

He commanded his company in the battle of Bunker Hill, losing nine men in killed and wounded. The company was enlisted to serve to December 31, 1775. Major Scott was re-commissioned captain and on July 7, 1776, was assigned to a regiment under Colonel Sargent, and so served until November 8, 1776. April 5, 1776, he was appointed judge-advocate of a court martial, of which Colonel Sargent was president. He was member of another in the following month, and in June was again judge-advocate of a third court martial, ordered by General Washington for the trial of military offenders. On November 8, 1776, he was commissioned captain in Colonel John Stark's, afterward Colonel Cilley's, regiment of the Continental New Hampshire line, and served to the end of the war, never having been absent or having a furlough, so far as the records show. He was in the retreat of the army from Ticonderoga, and in a skirmish at Bloody Pond, near the outlet of Lake George, commanded the "forlorn hope." Ordered to abandon his position because the troops were not in readiness,

he directed his men to retreat three steps, and then held his ground until the line of battle was formed.

At the battle of Bemis Heights, September 19, 1777, he was wounded in the hand, the ball entering his left hand near the thumb, passing slantwise across the palm and cutting off the small bones and sinews of the hand. His little finger was amputated, and when the wound healed the power of flexion and extension of the fingers was almost wholly destroyed. The major and lieutenant-colonel of his regiment were killed in the action, and on the following day Scott was promoted major of the command.

A year later he was in the battle of Monmouth. After the battle a mutiny broke out in one of the regiments and in quelling it Major Scott was wounded by a bayonet thrust, the bayonet penetrating to the lumbar vertebræ. The soldier was court-martialled and sentenced to be shot, but through Scott's intercession General Washington pardoned him. In August and September, 1779, he was with General Sullivan in an expedition against the Indians. A battle was fought with the Indians and Tories, commanded by Brandt, and by Colonels Butler and Johnson, near Elmira, New York, on the 29th day of August, and the enemy was defeated. In a personal encounter with an Indian chief, Major Scott secured the Indian's long rifle, which was handsomely mounted in silver, and brought it off the field as a trophy. It is now in the possession of one of his descendants. In March, 1783, he was in command of his regiment, and October 10 of that year was promoted lieutenant-colonel by brevet. He retired from the army when it was disbanded late in 1783, after eight years and eight months' continual service. He had not been absent from his regiment during the entire term, either from wounds or any other cause, had taken part in every battle and campaign of his command, and carried on his person, so his family said, the marks of thirty-six wounds.

When he entered service he was married and had two children, one a boy of ten years, the other also a boy, much younger. The latter was placed in charge of a family in Athol, this State, where he was cared for during the war. As soon as he had organized his company at Cambridge he sent for his elder son and made him his waiter, the boy acting in that capacity until

January 1, 1778, when he enlisted in the army as a musician and served three years. In 1781 he was made fife major of the regiment.

In leaving the army, Major Scott went to Albany and then to Schenectady, where he opened a store. Two years later he removed to Greenfield, Saratoga County, New York, and took up land and for the rest of his life was a farmer, though unable to perform manual labor. His hands were so deformed by wounds that they resembled birds' claws more than human hands. He was the first supervisor of his adopted town, held a commission as justice of the peace for many years, and when the Society for the "Promotion of Useful Learning" was organized in Greenfield in 1797, he was chosen its first president, and his son John, its first secretary. He was of a kindly disposition, generous to a fault, interested in public affairs, and was fond of having his army comrades about him. He died in Greenfield, New York, in 1815, aged seventy-one years. His brethren buried him with full masonic honors, on the very spot where with his comrades he slept the first night of his arrival in the wilderness which was to be his future home, in the Bailey Cemetery, Greenfield, New York.

The other William Scott owned a farm in Peterborough at the beginning of the war. He was the son of Alexander Scott, and was born in Townsend, Massachusetts, in 1742. Enlisting into Captain Silas Brown's company, Colonel — regiment, March 6, 1760, he was discharged December 8 following. Re-enlisted into Captain Farrington's company, — regiment, June 2, 1761, and served till January 1, 1762; total service in the French and Indian War being one year and over three months. When he heard of the Lexington battle, he was on a journey stopping in Groton, Massachusetts. Starting at once for the scene and overtaking the enemy, he was in season to give them a parting shot as they were crossing the Charlestown ferry into Boston. He assisted his cousin, Major Scott, in recruiting a company at Cambridge, in April, 1775, and was commissioned a first lieutenant. In the battle of Bunker Hill he was severely wounded. He was sent to the Hill on the night of June 16, to assist in the construction of the redoubt. Early in the action his leg was broken by a grape shot, but he continued to fight, and encourage his men, and when he could

stand no longer, sat on the ground and pared bullets to fit the guns of his soldiers. When the enemy were within a few feet of him he attempted to retreat, but getting hit by four more balls in his body and limbs, he fainted from loss of blood, was taken prisoner and carried to Boston. When the British evacuated the city in the following March, his wounds were partially healed, but he was placed in irons, taken to Halifax and thrust into jail. In the following July, with several of his companions, and equipped with a gimlet, bayonet and an old knife, furnished by a friend outside, they broke jail by digging out under the walls, and took to the woods, where they separated. Six of them, including Scott, reached Tours, at the head of the Cobecut River, in three days, and procuring a boat sailed away. Four others, who escaped with them, took the road to Windsor, but were recaptured and returned to jail. Captain Scott and his companions reached Boston about July 25, and as soon as he was able, he rejoined his regiment, Colonel Sargent's, in the following September. He was among the prisoners taken at Fort Washington, November 16, 1776. The night after the surrender, not desiring another fifteen months' captivity, tying his sword to his back and his watch to his hat band, he made his escape by swimming the Hudson River and got safely to the Jersey shore. To escape the British frigate stationed off the fort he had to swim nearly twice the width of the river.

He was commissioned captain, January 1, 1777, in Colonel Henley's, afterward Colonel Henry Jackson's, (Mass.) regiment, and served until the spring of 1781. He was attached to Lafayette's command, and when the latter was ordered to Virginia in the spring of that year, being unable on account of his wounds to make so long a march, he resigned his commission. He soon after entered the naval service, on the ship *Deane*, as a volunteer, and served until May 31, 1782, when he left the army and navy after seven years' service.

On receiving his commission as first lieutenant in April, 1775, he sent for his son John, a lad of ten years, to come and be his waiter boy. This son remained with the army until July 24, 1777, when he enlisted into Captain Fox's company of Colonel Henley's, afterward Jackson's, regiment, and served three years. His brother, David Scott, two years older, also

enlisted into the same company and regiment, July 18, 1777, and served until October 6, 1782, when he died from camp fever.

After leaving the army, Captain Scott bought a farm in Groton, Massachusetts, but soon lost it and then went to Litchfield, New York. His daring courage through which he saved nine persons from drowning on the river at New York, in 1793, has been told too many times to be repeated. He had lost all his property, and with a large family of children, the four youngest being under seven years of age, and his wife dead, he was in the direst poverty. General Knox, the Secretary of War, who knew his worth, appointed him, in 1794, deputy storekeeper at West Point. The following year he was on the suite of General Lincoln, who was sent by the government to Detroit to make a treaty of peace with the Indians. A year later he was connected with a party surveying lands on the Black River near Lake Erie. They were attacked by lake fever and Captain Scott returned with a part of the sick to Fort Stanwix. Not able to find any one willing to go back for those who had been left behind, he decided to go for them himself. His physician warned him that if he did he would never come back alive. "I think I shall," was the reply, "but if not, my life is no better than theirs." He went and returned with the sick, but contracted the fever himself, and died at Litchfield, New York, ten days later, on September 19, 1796, aged fifty-four years.

The father of Captain Scott served a short time in the army in 1780. Thus there were from this one family three generations in service at the same time. The grandfather, son and two grandsons gave a continual service of about twenty years to the colonial cause.

One event in the life of both Major and Captain Scott throws strong light upon the sufferings and hardships of the Revolutionary soldiers, both during and after the war. It largely grew out of the currency, and goes far to explain why it was that in Shays's Rebellion the soldiers were foremost among the malcontents of 1784, 1785 and 1786. In 1775 Captain Scott owned a farm. After the capture of Fort Washington he went home on furlough, sold it and took a note in payment, payable at a future day. When it was finally paid, he did not realize

enough to pay for the horse he lost at Fort Washington. At the close of the war he received his pay and commutation in public securities. With part of these he bought a farm in Groton, paying part of the price down and loaning the other part to a friend. The securities turning out worthless, he lost his farm and all he had paid on it; the friend failed and so he lost his loan. He was thus left penniless, with a large family of motherless children on his hands. Unable to support his family, in 1790 he applied for a pension, first to the State of Massachusetts and then to the general government. Owing to the unsettled state of affairs between the State and national government, the application drifted along until 1794, when by returning his commutation money he was allowed a pension of twenty dollars per month, which he enjoyed only a year and a half. Major Scott's case is best stated by himself in his application for a pension. He says:

It was with peculiar pain your Petitioner was obliged to address your august body in New York, January 17th, 1794, constrained thereto from motives of misfortune and distress. He has struggled with difficulties year after year, in hopes that each would be the last, but has been disappointed and finds his embarrassments thicken and become more complex; in the exigency he is again compelled to apply for relief.

That he is among that class whose hardships are exceedingly disproportionate to any other citizens of America, let recurrence be had to the final settlement with the army invalids, unfit to return to their usual labor, to support themselves and families, debts necessarily contracted must be paid; those securities the only resource; of which to discharge a debt of one pound required eight. This or a gaol was the only alternative; the former has been preferred by every person of honesty.

That the Commutation under such circumstances was an adequate compensation for eight years' hard service (to those who have been so unfortunate as to have lost the use of their limbs and have their constitution ruined) cannot be supposed, at best it only leaves them upon a footing with those who have never received a wound and what is still worse is to exist as objects of obloquy in the vicinity of those unprincipled men who deserted and bore arms against their country and are now enabled through the Liberality of their Master to live in affluence; while many of those who aided in conquering them are suffering under the most distressing penury.

That your Petitioner having received several wounds in defense

of the country humbly submits the premises to the consideration of your Honourable Body, not doubting but his peculiar situation will entitle him to relief.

The application failed, and it was not till 1807 that his claim was allowed. He was then placed on the pension roll at the rate of twenty-five dollars per month under the Act of Congress of April 11, 1806.

The patriotism of this family, to which both Major and Captain Scott belonged, deserves recognition.

In 1775 there were living in Peterborough, or had lived there until within two years of that date, the following Scotts, all descendants of one man, whose name was Alexander Scott:

1. John, aged about 69 years (never married).
2. William, aged about 60 years, and his sons, William, aged 19, Thomas, aged 23, and David, aged 26 years.
3. Alexander, aged 65 years, and his sons, James, aged 20, Alexander, John, aged 24, William the Captain, aged 33, and William's sons, David, aged 12, and John, aged 10 years.
4. William, the Major, aged 33 years, and his sons, John, aged 11 years, and Lewis, aged 1 year.

Fifteen in all, one of whom was a cripple and another an infant. Of the thirteen remaining, twelve were in the American army and their combined service amounted to more than forty years.

Mr. CHARLES C. SMITH read a note on

JOHN FORSTER.

In the recently published *Life of Robert Browning* by W. H. Griffin and H. C. Minchin, it is stated that within six months of the appearance of Browning's *Paracelsus* he was helping John Forster, for eleven years a Corresponding or Honorary Member of this Society, complete his *Life of Strafford*. To this is appended a footnote in these words: "Information from Miss Browning puts this matter beyond dispute; none the less, the completed work is Forster's, not Browning's." This apparently harmless note has revived the old dispute as to the authorship of the *Life of Strafford*, which was published under Mr. Forster's name in Lardner's *Cabinet Cyclopædia*, and has since been reprinted several times as a part of his *States-*

men of the Commonwealth of England. In an article in the *Nineteenth Century* for last December, Miss Emily Hickey, one of the founders of the Browning Society, flatly contradicted Mr. Minchin, and reiterated the claim for Browning on the authority of a private letter from the poet, which she says she destroyed after showing it to one other person. To this Mr. Minchin replied in a letter to the London *Spectator* of January 21, 1911, which should seem to set the matter finally at rest. In it he writes:

Neither at the time of its appearance under his friend's name nor subsequently did Browning lay any public claim to its authorship. As the poet unquestionably helped Forster with his task, it might have been more exact to describe the work as by Forster and Browning; but this was a matter between the two men; and there is not a shred of evidence that Browning desired, still less that he asked for, the inclusion of his name.

How much of it Forster actually wrote it is impossible to say. But was he the sort of a man who would put his name to a work which was entirely by another? Mr. R. Barrett Browning, who knew him, answers emphatically, "No." What happened was this. Chancing to call upon Forster one day, Browning found him ill and worried, fearing he would be unable to complete his "Life of Strafford" by the time agreed. The poet helped his friend, how much Miss Browning did not know; but it was while thus occupied that he first thought of writing a drama on Strafford.

The appearance of this letter in the *Spectator* at once recalled an incident in my own experience more than sixty years ago. In March, 1848, I contributed an article on The English Revolution to the *Christian Examiner*, a bi-monthly publication, second in reputation at that time to only the *North American Review*, and of which Rev. Dr. Lamson, of Dedham, long a member of this Society, was the senior editor. In the course of that article I characterized several recent publications, and referring to Forster's Life of the younger Sir Harry Vane, wrote that it "is the best that has fallen under our notice," adding in a footnote, "Mr. Forster speaks with deserved commendation of Mr. Upham's excellent Life of Vane in Sparks's Library." This reference naturally annoyed Mr. Upham, who was also long an honored member of this Society, and he complained of it to the editors of the *Christian Examiner*. They communicated

his complaint to me, and at the same time sent me a copy of the *National Intelligencer*, containing a long article on the editorial page, signed with a pen and ink by Edward Everett, showing that Mr. Forster had copied freely and without acknowledgment from Mr. Upham's *Life of Vane*. On receiving these documents I prepared an explanatory note which was printed in the next number of the *Christian Examiner*, saying: "Mr. Upham's *Life of Vane* we have ever held in high estimation. It was some years since we had read it; but our attention having been directed to the subject, we have been at the pains of comparing it with the more recent work of Mr. Forster, and find that he has borrowed whole passages from Mr. Upham without proper credit, and we cannot but regret that a writer of so great and varied learning should have been guilty of such disreputable plagiarisms." It may be amusing to add here that a few years before this time the American publishers of a reprint of Macaulay's *Essays* had included at the end of the volume, as an undoubted work by Macaulay, an article on Charles Churchill which Mr. Forster had contributed to the *Edinburgh Review*. Nearly twenty years after the publication of the article to which Mr. Upham took exception, I noticed also in the *Christian Examiner* his really exhaustive work on the Witchcraft Delusion of 1692, and at that time received from him a long and very cordial letter.

Mr. Forster was singularly unfortunate in his relations to writers on the subjects which he afterward chose. Besides the knotty question as to the authorship of the *Life of Strafford*, and his undeniable indebtedness to Mr. Upham, when he published his charming *Life and Adventures of Oliver Goldsmith*, Sir James Prior clamorously accused him of stealing the materials which Prior had used in an earlier *Life of Goldsmith*. I have never read Prior's book, but I believe the general judgment is that he greatly magnified his grievances, and had not in fact much ground for complaint.

Mr. Forster was elected a Corresponding Member of this Society in February, 1865, not long after the publication of his enlarged *Life and Letters of Sir John Eliot*, and ten years later his name was transferred with others to the Honorary list by a unanimous vote. He died in February, 1876. He was a very able man, a tireless worker who delighted in his work,

and an admirable writer. He had no need to add to his reputation by appropriating to himself the work of other men; but it is reasonably certain that he thought more of making a thorough and interesting book than of giving full credit to those who had preceded him in the same field. Plagiarism is one of the "calamities of authors." With the enormous multiplication of histories and biographies, and with the inordinate desire of new writers to magnify their own discoveries, it need cause little surprise if plagiarisms, as they can be less easily detected, should also increase, and that young and ambitious writers should ignore the strong men before Agamemnon into whose labors they have entered. "Let them perish who said our good things before us."

Mr. SANBORN then read the following paper upon

NEGRO SLAVERY IN KANSAS AND MISSOURI.

In a volume recently published in Boston, entitled *John Brown Fifty Years After*, and written by Oswald Garrison Villard, grandson of the famous advocate of Emancipation by moral suasion, I find much to commend, and many inaccuracies and inconsistencies to correct. In this paper I shall restrict myself chiefly to a single point, the existence of negro slavery in Kansas and Missouri fifty-five years ago, — how it got there and how it was removed. On this simple historic question, to be decided, I have always supposed, by an appeal to facts, Mr. Villard makes a very singular assertion, in these words:¹

It is idle to assert that Kansas never would have been free, had it not weltered in blood in 1856; if the Sharp's rifle policy had not been followed. Climate and soil fought in Kansas on the side of the Free State men. . . . The familiar slave crops never could have been raised in Kansas with its bleak winters. Moreover, the South was never a colonizing section; the history of the settlement of our Western communities proves this.

Here are several direct statements and implications for which it would be rather difficult to find proofs. As I was active all through the period mentioned, which was some twenty years before Mr. Villard was born, I may be permitted to say that I never before heard it asserted "that Kansas never would have

¹ Page 265.

been free, had it not weltered in blood in 1856." Never is a long word, and few persons are gifted with the foresight which this author assumes occasionally, to tell exactly what would have happened had the actual course of historic events been otherwise than it was. What the persons living at the time saw and said was, that Kansas was destined to become slave territory unless some active means were employed to prevent the maintenance of negro slavery there. This was said by the slaveholders themselves, by their political friends, whom they had nominated and helped to elect to high office, and by most of the opponents of slavery. The notion that there was anything in the climate or soil, in the winters or the summers of Kansas, to prevent the selfishness of men from using slave labor there, as had been done in the adjoining territory of Missouri for half a century, — this notion is as unfounded as any delusion that occupies weak minds.

Slavery, and particularly negro slavery, has existed, and that for centuries, in every kind of climate and every species of soil. I was born within sight of the "Nottingham Hills," that low chain of New Hampshire mountains visible in the seashore towns, from every considerable hill and from the open ocean, a mile or two away from the shore. Among those hills, in one of the bleakest and rockiest parts of Rockingham County, there resided at the close of the Revolution, in which he had been a distinguished military officer, General Joseph Cilley, of Nottingham, owning four slaves, which were still his property at the census of 1790. The old soldier would have laughed at the fancy that anything in the climate or soil of his town could prevent his slave Pompey from saddling his war-horse, or could interfere with Chloe Cutler or Lucy Light milking his cows or feeding his hens. Slavery had then existed in New Hampshire for more than a century and a half, and might exist there now if the moral sense of its people had not gradually led to emancipation.

In fact, the soil and climate of Kansas were rather more favorable to the "slave crops" than were those of Missouri, as a citizen, Mr. Connelley, who has resided for years in both States, has lately written me, saying:

The heavy slave-counties of Missouri were those along the Missouri River, in latitude about equal to central Kansas; and the

climate of Kansas has always been milder than Missouri's. Kansas does now and always did bear well two crops believed to be profitable for slave-culture, tobacco and hemp. Any crop raised in Missouri or Kentucky (I have lived in both States) can be raised equally well, and often with a better yield, in Kansas. We have some very cold weather here occasionally, but it lasts for only three or four days. In the thirty years I have lived in Kansas, I have seen just three cold winters. . . . This "soil and climate" theory was promulgated by Governor Walker in 1857, trying to "save the face" of the pro-slavery people, when it was seen that slavery here was beaten by the Free-State majority.

It is well known that Webster propounded as a theory that slavery would not go into much of the territory acquired from Mexico; but this was a mere theory, for which he offered no proof, and which is discredited by Senator Lodge in his *Life of Webster*.¹ The reasons that Webster gave in his 7th of March speech for his change of attitude since 1848, Lodge says,

were that Nature had forbidden slavery in the newly-conquered regions and that the Wilmot Proviso, under such circumstances, would be a useless taunt and wanton insult to the South. The famous sentence . . . "that he would not take pains uselessly to reaffirm an ordinance of Nature, nor to re-enact the will of God" was nothing but specious and brilliant rhetoric.

I take it that David R. Atchison, born in Kentucky amid slaveholders, who removed to western Missouri in 1830, as so many Kentuckians and Tennesseans did, — among them Daniel Boone in his old age, — and who for twelve years was a senator from Missouri at Washington, must have known what he was talking about when (April 15, 1855) he wrote to Amos A. Lawrence, a former member of this Society, in these words:

You are right in your conjecture that I and my friends wish to make Kansas in all respects like Missouri. Our interests require it; our peace through all time demands it; and we intend to leave nothing undone that will conduce to that end, and can with honor be performed. If we fail, then we will surrender to your care and control the State of Missouri. We have all to lose in this contest. You and your friends have nothing at stake. . . . You say that "those who go from New England to Kansas have gone in good faith and at their own expense." . . . You further say, "Neither is there any

¹ Page 319.

truth in the assertion that they are abolitionists. No person of that stamp is known to have gone from here." . . . A man coming from Massachusetts or South Carolina to settle in Kansas, with the express purpose of excluding slaveholders from that Territory, and, by means of his influence in that Territory, abolishing slavery in Missouri, I regard as an "abolitionist," and an enemy to justice and right, and the Constitution and union of these United States. I respect a man who is willing to overthrow our government, — involve the United States with each other in civil war, — that African slavery may be abolished. . . . The term "free-soiler" is far more odious to me than "abolitionist." The one implies something of honesty; the other all of knavery and hypocrisy. . . . You come to drive us and our "peculiar" institution from Kansas. We do not intend, cost what it may, to be driven, or deprived of any of our rights. Missouri will never again compromise or concede. We are, and intend to remain, your equals. . . . The sin of slavery, if a sin, is ours, not yours. Your fathers sold their slaves, and ours bought them. If you consider slavery in Missouri or Arkansas a grievance to you, say at once that we must free them or you will separate from us. Do this, and you will act like honest men, and we will meet you half way. We cannot ever maintain this state of *quasi-peace* and *quasi-war*. . . . Let me suggest that you purchase \$90,000 worth of negroes; come out to Kansas; feed and clothe your slaves well; give them employment; build for them and yourself good houses; improve their condition; build for yourself fine barns and stables; cover the prairies with wheat, hemp, and corn; feed your cattle on a thousand hills; assist your poor neighbor; and, my word for it, you will do more good for your race, both white and black, than you are doing or can do, in Boston. I should be happy to have you for a neighbor; and you will find as much good among slaveholders as you have found among non-slaveholders.¹

It is evident from this letter that Mr. Atchison saw nothing in the climate or soil of Kansas unfavorable to slave crops, which he specifies as wheat, hemp, corn and cattle. In addition to these, Kansas now raises tobacco and cotton, — the former in large quantities. The letter was sent in reply to one from Mr. Lawrence of March 31; and the next we learn of Mr. Lawrence, he was sending out Sharp's rifles to Kansas instead of accepting this invitation.

What were Abraham Lincoln's fears and views in regard to the exclusion of slavery from Kansas, by positive prohibition,

¹ *Kansas Hist. Soc. Collections*, VII. 523-524 n.

instead of relying on "climate and soil" to keep it out, will appear by this passage in one of the three speeches he gave in Kansas in December, 1859, as reported by my friend and college companion, D. W. Wilder, who met Lincoln in Missouri and escorted him into Kansas:

You people of Kansas will soon have to bear a part in all that pertains to the administration of the national government, which has always had, has now, and must continue to have a policy regarding domestic slavery. In such a policy it must of necessity take one of two directions; it must either deal with negro slavery as being wrong, or as not being wrong. In the early policy of our government, the prohibition of slavery in the Northwest Territory, the declaration that the slave trade was piracy, etc., — the basic idea must have been that slavery is wrong, and to be tolerated only so far as the necessity of its actual presence required. Now there is a new policy, based on the idea that negro slavery is not wrong, — the Kansas-Nebraska Act being the application of this new policy. You, the people of Kansas, have tested this new policy for the first time. Here, at the end of five years of almost continual struggles, bloodshed and fire, over this very question, the right or wrong of slavery, — and after having framed four or five State Constitutions, you have at last secured a Free State Constitution, under which you will soon be admitted to the Union. . . . Now contrast the two policies, the new and the old, — their actual working, — and say whether, after all, the good old way, the way of Washington and Jefferson, was not the better of the two. . . . If your first settlers had so far decided that slavery was right, as to have got 5,000 slaves planted on your free soil, you never could have adopted your Free-State Constitution. Their owners would be influential voters among you, — as good men as the rest of you, — and by their greater wealth and consequent greater capacity to assist the more needy, perhaps the most influential among you. You would not wish to destroy or injure their property; you would not know what to do with their slaves if you made them free. You would not wish to keep them as underlings, nor yet to give them social and political equality; and you could not send them away. All the rest of your property would not pay for sending 5,000 free negroes to Liberia. You could have disposed easier of not merely your five Governors, but of 500 such Governors.

This shows that Lincoln knew by observation what would happen if slavery once got a foothold in a region like Kansas; and also how far he was in 1859 from the policy of emancipation

which the generalship of Lee forced upon him three years later. In 1855 Lincoln had expressed the fear that slavery would be introduced into Illinois, and might spread over the whole country. As for the colonizing powers and wishes of the South, when California came forward as a State, Senator Lodge says, in the same *Life of Webster*:

Mining was one of the oldest uses to which slave-labor had been applied, and it still flourished in Siberia as the occupation of serfs and criminals. Mr. Webster, of course, was not ignorant of this very obvious fact; and that nature, therefore, instead of forbidding slave-labor in the Mexican conquests, opened to it a new and almost unlimited field, in a region which is to-day one of the greatest mining countries in the world. Still less could he have failed to know that this form of employment for slaves was eagerly desired by the South. . . . Mr. Clingman of North Carolina, on January 22, . . . had said, . . . "But for the anti-slavery agitation our Southern slave-holders would have carried their negroes into the mines of California in such numbers that I have no doubt but that the majority there would have made it a slave-holding State." At a later period Mr. Mason of Virginia declared, in the Senate, that he knew of no law of nature which excluded slavery from California. "On the contrary," he said, "if California had been organized with a territorial form of government only, the people of the Southern States would have gone there freely, and have taken their slaves there in great numbers. They would have done so because the value of the labor of that class would have been augmented to them many hundred fold." These were the views of practical men and experienced slave-owners, who believed that domestic slavery could be employed to advantage anywhere. (Pages 319-320.)

And I may add, such men had been colonizing the unsettled parts of the South ever since the Carolina slaveholders, early in the eighteenth century, overthrew Oglethorpe's humane design to exclude slavery from his colony of Georgia.

What happened to slavery in Kansas was briefly this: the Free State men began to set free those whom they came across in their petty wars of 1856-1858, — the first example being given by the eldest son of John Brown, in May, 1856, for which he was at first sharply criticised by his own men. Soon after, the custom of Missouri slaves escaping into Kansas became common, and there was a regular organization in Lawrence to aid their flight to the North through Nebraska. When John

Brown left Kansas in October, 1856, he took a fugitive along with him in his wagon. Southern men in Missouri and Kansas gave money for such escapes, and Quantrill, the pro-slavery brigand, pretending to be an abolitionist, led into a trap a Kansas party which went into Missouri to bring away the slaves of Morgan Walker, in December, 1860.¹ John Brown himself had invaded Missouri two years before, and brought off a dozen slaves, whom he safely carried through to Canada early in 1859. His policy everywhere was to make slavery unsafe and unprofitable; and in consequence of the activity of himself and his friends in Kansas, slavery practically ceased there, and western Missouri had its slaves decreased by thousands before Kansas was admitted as a State in January, 1861. Its first Representative in Congress was my friend, Martin F. Conway, of Maryland, whose speech in Congress in 1863 in favor of acknowledging the Southern Confederacy is mentioned in the last volume of our *Proceedings*.²

When I first became intimately associated with the movement to free Kansas from the negro slavery there existing, and to make it a free State, two gentlemen from the South, named Conway, but in no way related to each other, were active in the cause, — Martin Franklin Conway, of Maryland, and Moncure Daniel Conway, of Virginia, a relative of the late Senator Daniel of that State. The latter is so well known through his copious writings, among which is an autobiography, that he needs no description here. But Martin Conway, in some respects an abler person, is now but little known, for he died long ago under painful circumstances. He is much mentioned in the biography of his friend and mine, George L. Stearns, of Medford, by his son, my former pupil, F. P. Stearns, and I may quote what he says:³

Martin F. Conway, a young and effective speaker, . . . was one of the most brilliant of the band of reformers with whom Mr. Stearns was associated; but much too fragile physically for the part in life which destiny had assigned him. He was born in Baltimore and, like John Brown, conceived a horror of slavery in his boyhood from

¹ See W. E. Connelley's *Quantrill and the Border War*.

² *Proceedings*, XLIII, 365.

³ *Life and Public Services of George Luther Stearns*, by Frank Preston Stearns, 123, 272, 275, etc.

seeing the manner in which unoffending negroes were treated. At the age of twenty-one he studied law, philosophy and government; read Plato, Aristotle, Locke and Alexander Hamilton. He succeeded well as a young (law) practitioner, but in 1855 he decided to emigrate to Kansas and try his fortunes with the Free State party there. In Autumn, 1855, the Free State men chose Conway for their chief-justice.

He became in the summer of 1856 one of the Kansas pioneers selected by our Massachusetts Committees, along with Rev. Mr. Nute, E. B. Whitman, of Massachusetts, Grosvenor P. Lowrey of Pennsylvania, and later, Charles Robinson and Colonel James H. Lane, to address audiences in New England, and promote the raising of money to aid our struggling friends in Kansas. In that work, in which I actively assisted, I became intimate with Martin Conway. In the winter of 1862-1863 the other Conway was living in Concord near me, and the two met at Mr. Stearns's villa in Medford, January 1, 1863, to celebrate, along with Emerson, Garrison, Phillips, Mrs. Howe and other friends of freedom, President Lincoln's great act of emancipation, which finally turned the scale of civil war in our favor.

At this time Martin Conway was in Congress, being the first Representative elected from Kansas as a free State, and seated in the House at Washington, late in January, 1861, while Secession was actively going forward, and that city was in the condition lately described so forcibly by Henry Adams.¹ He had supported all the measures of Lincoln's administration, had voted against the efforts of compromisers to make slavery perpetual, and had gained the attention of the House by the logic and force of his occasional speeches. But by December, 1862, he became fearful that the conquest of the South could not be made, and that Lincoln was only half in earnest in his emancipation measures. In his visit to Emerson, to Moncure Conway and others at Concord in that December, he talked freely of his intended speech of January, 1863, in support of resolutions which he introduced soon after, declaring,

That it is inexpedient to wage this war for the purpose of restoring the Union; that the restoration of the Union as it existed prior

¹ *Proceedings*, XLIII. 660.

to the Rebellion would be a greater calamity than the Rebellion itself; that the seceded States could not be subdued but by being assailed upon principles of ordinary warfare as between separate nations.

To these propositions the House at once declared itself opposed, by a vote of 132 to one, — Conway himself. But in Concord, as I happen to know, he had secured one supporter, and perhaps two, — Nathaniel Hawthorne, and possibly Moncure Conway, who was then making arrangements for his visit to England, where, six months later, he made his singular offer to Senator Mason, the Confederate envoy, — that we would allow the Confederacy to exist as a nation if it would emancipate the slaves. I dined with Mr. Hawthorne on Christmas day, 1862, in company with the late George Bradford, uncle of our associate Gamaliel Bradford; and then and there Hawthorne told us that he had met Martin Conway, had heard his arguments for recognizing the Confederacy, in order to get rid of slavery the sooner, and that he himself favored separation. "We are two peoples," he said, "and we long have been. When I was Consul at Liverpool and was meeting men from the South and from the North, I felt then how essentially we were two nations." He did not seem to regard separation as a step towards emancipation, as Conway did; but that it was one of the inevitable results of natural antipathy. This was not the view taken by his friend, General Pierce, at the time, who was of the opinion expressed by Mr. Vallandigham of Ohio, in the House about the time Conway offered his motion.

On January 14, 1863, Mr. Wright, a Pennsylvania war Democrat, having introduced resolutions declaring that the rebellion was without cause, and the war was for the restoration of the Union, Vallandigham said:

The restoration of the Union is possible upon the basis of the old Constitution; the three-fifths rule of representation, the speedy return of fugitive slaves, no more anti-slavery agitation, and the permitted transit and temporary sojourn of masters with their slaves in all the Free States. I propose an armistice, but no treaty at present; to withdraw the armies and reduce them to a peace establishment; and to allow travel and unrestricted commerce to restore peace and repair the damages of war.

He then proceeded to attack our New England people, and their Puritan civilization, but was graciously moved to allow us to stay in his restored Union; although, he added, "the supremacy of the Puritan civilization is incompatible with peace and the Union."

Mr. Conway, in his speech, which was printed in full in the last number of the *Boston Commonwealth* which Moncure Conway edited before sailing for England (and which he supported in a brief leader), said:

There are three methods of again uniting the nation. One is to crush out the slaveholders by force; another, to surrender to them on the matter at issue; and the third is temporary separation, and final reunion on an anti-slavery basis. The Republican party is for force; the Democratic for conciliation. The Republican party consists of those opposed in principle to slavery; the Democratic of those who are not. They are equally for restoring the integrity of the nation. Indeed, the instinct of union and territorial empire is so dominant that the party of conciliation would adopt force, and the party of force conciliation, rather than give up the effort for dominion.

He then went on to say that separation would bring about the abolition of slavery quicker than war would. He feared that the Democrats would carry the country in 1864, and would restore the Union on the Vallandigham basis; whereas temporary separation would place the slaveholding section in an impossibility of continuing slavery. On this point he said:

The South has no cohesion, no solid basis. The principle of secession is one of disintegration. Its system is unstable from foundation to turret; slavery will inevitably rend it asunder. It develops a perpetual warfare between conscience and interest. Let the South become independent and we shall one of these days see a North and a South in the South. Anti-slavery will break out in Richmond. The doctrines of Jefferson, Mason and Madison will again be spoken. Such slaves as can escape across the lines will do so, and the rest will be conveyed by their owners to the distant South. As these northern States become free, they will become antagonistic to their confederates, and reconciled to their old Union, and no obstacle can prevent their return.

There was much force in this reasoning, and the experience of Missouri, Kentucky and Tennessee was even then verifying

it. But Providence was pointing out a better way, of which Lincoln, after long hesitation, became the path-breaker, as John Brown had been the slain pioneer. He followed up his decrees by arming the negroes, and he was so just and merciful in his dealings with all that his re-election was triumphant. This had not been expected by Judge Conway, who, with failing health and a tendency to pessimism, had taken gloomy views of Lincoln's persistency in a good cause, and was inclined to despair of the Republic.

Among many misconceptions of the men whom he has occasion to mention in his volume, Mr. Villard is inclined to charge John Brown and his friends with being disunionists, as his grandfather Garrison was, until he saw a chance to abolish slavery through the war for the Union. Neither Brown nor his firmest supporters, with the exception, for a time, of Wentworth Higginson, were disunionists. Martin Conway might be so designated from his injudicious proposals in Congress; but he was heartily for a restored Union without slavery. Upon my succeeding Moncure Conway as editor of the *Commonwealth*, February 15, 1863, I expressed my own Union sentiments by publishing therein my long Boston address at the Music Hall (February 8, 1863), advocating the vigorous prosecution of the war. Without then being acquainted with the far-sighted prediction of John Quincy Adams, John Brown and his friends agreed with Mr. Adams when, in 1820, he wrote in his private diary (February 24):

Slavery is the great and foul stain upon the North American Union, and it is a contemplation worthy of the most exalted soul whether its total abolition is or is not practicable; by what means it may be effected, and, if a choice of means be within the scope of the object, what means would accomplish it at the smallest cost of human sufferance? A dissolution, at least temporary, of the Union as now constituted, would be necessary; and the dissolution must be upon a point involving the question of slavery, and no other. The Union might then be reorganized on the fundamental principle of Emancipation.

I last saw Martin Conway in Richmond, Virginia, in June, 1865. He was then living there after the war, and practising law. He died some years later, the inmate of an insane asylum. His letters to me of May 10, 1858, and August 7, 1859, follow,

— both written from Lawrence in Kansas, about the time that Mr. Stearns and others were sending John Brown back to Kansas, to maintain peace there.

LAWRENCE, K. T., May 10, 1858.

DEAR SANBORN: — I am now engaged in a movement out here in which my heart is very much enlisted, — the new State movement under the Leavenworth Constitution. I was elected a delegate to the Convention which made the Constitution, without any action whatever on my part; and with some other good and true men, I went to work and framed an instrument for the fundamental law of the State, based upon principles of justice all round. As soon as we got it published, a great howl was raised against it as a “nigger” Constitution, because it did not shut out red, yellow or black men from the elective franchise. This opposition has been going on ever since, and all the lower elements are raging, and preparing to dash it to pieces the moment they can get a chance at it.

Under ordinary circumstances we could safely defy this movement of the groundlings; but in consequence of dissatisfaction among our own people about offices, and a great hankering after land on the part of some of our leaders, which causes them to keep in with the powers that be, in order to get railroad grants and the like, — in consequence of these things we are in danger of having all our work go by the board. The opposition of the Leavenworth Constitution is very strong indeed. The pro-slavery party proper, the “subterranean” wing of the Free State party, and all the disappointed office-hunters and insatiable landsharks are against it. And what is worse, we have not got the means to enable us to meet them and fight them everywhere through the Territory, as we should have. The whole campaign in behalf of the Leavenworth Constitution has to be conducted without a cent of money.

Mr. G. L. Stearns wrote me to know what they could do in Boston to help along the cause of freedom out here, and I sent him word to send out \$500 to pay the expenses of beating the pro-slavery Democracy on the Leavenworth Constitution. He replied that if he did this he would have to do it out of his own pocket; and he did not deem it of sufficient importance to justify this personal outlay. Right enough, surely. But I think your good people in Boston have made a little mistake in this matter. You must know that if this Leavenworth Constitution be ratified, and goes up to Washington, the whole Republican party of the country will be forced to advocate it as a fair expression of popular sovereignty. Nay more, — Crittenden and the whole Know-Nothing faction of the North and South would take ground for it against the Administration. This

is the irresistible tendency of current events. Now here is a chance to unite the largest party that has ever been organized in this country upon the highest anti-slavery platform. We made the Leavenworth Constitution for this very thing. We knew that the Constitution made by our convention would have to become, if ratified the platform of the party opposed to the Administration; and we made it purely anti-slavery in order to bring up a great national party to the highest national ground. And yet our devoted friends of anti-slavery in Boston could not afford us \$500 to carry the enterprise through!

They gave \$3,000 to Delahay to start a paper in Kansas once. Delahay's paper has never seen the light, and Delahay himself is a "subterranean." They gave even \$3,000 or \$4,000 to one George W. Brown. You know, I presume, what Brown is at the present writing, as well as the character of his paper. Brown is the prince of the "subterraneans," and his paper is their organ. And yet, liberal to a fault as these things prove our friends in Boston to be, they would refuse to the Leavenworth Constitution and its friends \$500 to keep them from being beaten by the Black-law, pro-slavery, subterranean Democracy. Our Boston friends are not mean; \$100,000 already given to Kansas proves this. But they are not shrewd, I think, in giving their money, however proverbially sharp they may be in making it. They give not wisely but too well.

I shall deeply deplore the defeat of the Leavenworth Constitution, as I believe you will. If it be defeated, I am satisfied it will be owing to the inability of its friends to do for it all they would do, had they but a small fund with which to operate. I have done all I could do, and something more; and so have W. A. Phillips, and Mr. Adams (of Leavenworth) and General Lane. The election will take place to-morrow a week (May 18, 1858). In the meantime I intend to be on the stump all the time, although my throat is very sore, and my voice shattered, and I am threatened with permanent bronchitis. But the more it hurts me, the more I have to do it. I have made up my mind to die in Kansas, for to die in Kansas is no calamity. And if I should die on the stump for the Leavenworth Constitution, I think I should rejoice and be exceeding glad. Ever truly yours,
M. F. CONWAY.

LAWRENCE, K. T., Aug. 7, 1859.

The politics of Kansas at this time may be summed up as follows, — The new Constitution, the Osawatomie platform, Marcus J. Parrott and the Republican name and prestige on one side, — and honest, straight-out Border Ruffian Democracy on the other. This is the whole of it. I am sorry that the Republican party was not per-

mitted to take a higher form, and look to nobler things, but the dead level of human nature is so low that our best efforts have all proved futile. . . . The Republican party must sink to the brutality and meanness of average humanity, or it will never come to anything. The party is not to be censured; it has done what any other party similarly situated would do. "Success is a duty." This is the elevated sentiment which animates our age; we must win, though we die for it, soul and body. . . .

M. F. CONWAY.

The effort of Conway, Lane, Henry J. Adams, Phillips, etc., only partially succeeded; though the Kansas *people* even then were on their side. Conway's theory that this unsuccessful Constitution, if ratified by the majority in Kansas, would have rallied to its support Frank Blair of Missouri, and Crittenden of Kentucky, finds some support in one of the letters of Lincoln's partner, Herndon, to Theodore Parker, a year earlier (April 8, 1857). Meaning by his two interlocutors the day before, Abraham Lincoln and Francis P. Blair, Herndon wrote:

I had a conversation yesterday (April 7, 1857) with one of the leading emancipationists of Missouri, and one of the leading Republicans of Illinois. Do not ask who they were. This is the substance of it: The Missouri *Democrat* is to open and bloom for Republicanism in 1860. The Louisville *Journal* is to follow, and some paper in Virginia is to fall into the trail, — all which is, as it were, to happen accidentally. The *Democrat* is simply to suggest, the *Journal* is to suggest still stronger, and at last all are to open wide for Republicanism. As these two men said, "We are to see the devil in the border States in 1860." These two are more than ordinary men; the conversation was in my office, and was confidential; therefore I keep dark, and request you to do so on the Missouri man's account; don't care for the Illinois man. You know him.

Mr. FORD submitted a paper in the writing of Edmund Pendleton, of Virginia, found in the Washburn MSS. in the collections of the Society. It is endorsed by Pendleton "Congress, May, 1775," and by Charles Thomson, secretary to the Continental Congress, "Mr. Pendleton's Motion."

Congress met in Philadelphia, May 10, 1775, and on the following day received by the hands of John Hancock, a delegate from Massachusetts Bay, the papers describing the events of April 19, the excursion of British troops to Concord and

Lexington. Congress unanimously resolved itself into a committee of the whole to take into consideration the state of America. This committee continued to sit, almost from day to day, for some weeks, and framed a number of resolutions which on adoption were entered upon the *Journals*. Apart from those entries there are no means of following the transactions of this committee, before whom so important questions were crowding at this most critical period in colonial history.

The paper now printed must have been laid before Congress at some time between May 11, when the Lexington papers were communicated to it, and May 26, when resolutions were adopted, denouncing the unconstitutional and oppressive acts of Parliament and the attempts of the ministry to enforce them, providing for putting the colonies in a state of defence, and for a petition to the King and negotiations for accommodating the unhappy disputes subsisting between Great Britain and the colonies.¹ It is marked by the uncertainties of the situation, by the presence of a powerful faction in Congress which sought to prevent decisive action towards open hostilities against the mother country, and favored the adoption of a conciliatory policy, to be embodied in humble and dutiful petitions to the king. Pendleton was not one of the extremists, and possessed few qualifications for leadership. His associates in the Virginia delegation — Peyton Randolph, Washington, Richard Henry Lee, Patrick Henry, Benjamin Harrison and Richard Bland — would not have cast the vote of the colony for independence, as Lee and Henry could alone be counted as so far advanced as to favor an actual break with Great Britain. My opinion is that this report was prepared by the Virginia delegation in Congress, to be submitted to the consideration of the committee of the whole. The endorsement by Thomson proves that it was actually presented, but not having been adopted by the committee, it did not come before Congress, and so no record appeared in the *Journals* of that body. Thomson, the secretary, did not pretend to preserve all the papers that were laid before Congress, and the original doubtless returned to Pendleton. A number of letters and documents from the Pendleton papers are in the Washburn collection, but when or where obtained is not known.

¹ *Journals of the Continental Congress* (L. of C.), II. 65.

MR. PENDLETON'S MOTION.

Resolved. That it is the Opinion of this Committee that the Members of the Present Congress ought to bind themselves and their Constituents by every tie which Wisdom, prudence and common danger suggest in a firm and Indissoluble league and union to stand by and support each other in defence of American liberty and procuring by all possible means a reconciliation with our mother Country. And therefore that no terms of Accommodation which may be proposed from Great Britain to any Colony separately, ought to be accepted or treated of by the Assembly of such Colony, but such treaty shall only be made and agreed to in a Representation of all in General Congress.

At the same time waving all resentment for the unmerited and unprovoked severities they have experienced from the British Ministry and Parliament, and influenced by the most sincere and Ardent desire to return to their Connection and intercourse of Affection with that their Parent state, from which misrepresentations and evil Counsels have unhappily divided Us; that terms of Accommodation ought once more to be proposed thro' the Medium of our common Sovereign, and therefore [*Agreed*]

As the Opinion of this Committee that a dutiful and Loial Address ought to be presented to his Majesty reiterating our sincere Alliegience to his Crown and dignity, and our unshaken fidelity to his Royal person, family and Government.

To lament our unhappy situation, which subjects Us to the grossest misrepresentations so that Our dutiful and peaceable attempts by Petition and remonstrance to preserve a Right to dispose of our own money as English freemen, and a preparation to defend our lives and families.¹

To declare in the most explicit terms that the ground and foundation of the present unhappy dispute between the British Ministry and Parliament and America, is a Right claimed by the former to tax the Subjects of the latter without their consent, and not an inclination on our part to set up for independancy, which we utterly disavow and wish to restore to a Constitutional Connection upon the most solid and reasonable Basis.

From a perswasion that the Negative of our Sovereign to all our Laws and the Power in Parliament of Regulating foreign trade for the Common benefit of the whole, are sufficient to preserve that connection and give the Parent State all her necessary weight in the Empire, we chearfully "consented to the Operation of all such

¹ This paragraph was stricken out.

Acts of Parliament as are *bona fide* confined to the Regulations of trade for common benefit excluding every idea of taxation Internal or external for raising revenue in America."¹ If we were misunderstood in this Point, to declare limited in their Object and operation. And we shall be willing on our parts to have proper Commissioners to settle a of giving Constitutional Stability to that great Pillar of Connection and prevent all future disputes.

To repeat our undeviating willingness to contribute our just proportion to the necessary expence of defending the whole Empire; To make an honourable and stable provision for the Administration of Government in our Respective Colonies, provided our Legislators and Civil Officers are put upon a proper independant footing, and in time of Peace to provide for our own internal Safety and Security; that we consider and ever must consider the Monopoly of our trade in Point of Profit to Britain and disadvantage to Us, as a full compensation for our proportion of the Expence of the Navy, so necessary for the Protection of the whole Empire; But if we are mistaken in this, and Parliament shall think proper to put us on a footing with our fellow subjects in Britain by as free a trade as they enjoy, we shall be ready, as in justice we ought, to pay a settled proportion of that expence.

That we are greatly concerned to find the only proposition made by Parliament for an Accommodation is of such a Nature that we can by no means accede thereto, since It is for the Substantial right of giving and granting our own money by a free Aid that we are contending, and not for the Shadow, or only the Mode of raising what a Superior shall command us to provide. And therefore, tho' we have always with sincerity expressed our readiness to exert ourselves for the Common defence in times of War, we always did it and must continue to grant Supplies upon Constitutional requisitions from by our Sovereign, on which we must judge of the Occasion and quantum of the Aid as well as the Mode of raising and application of it; And therefore to offer a Sum of money without any Object to direct Us as to the Quantum, or any Satisfaction to our Judgements of the necessity of any grant, would be a Step in the Dark we do not choose to make, more especially as 't is to be disposable by Parliament and may be emploid for our distruction, as we think a great deal of the National Treasure has lately been.

¹ These words are in substance taken from the statement of the violation of rights, adopted by the first Continental Congress, October 14, 1774. The paragraph in which they occur was prepared by John Adams, and aroused much opposition in Congress as aiming at independence. In its final form the paragraph remained as Adams wrote it. See his letter to Edward Biddle, December 12, 1774.

Once more to beseech his Majesty to interpose his Roial Influence for opening a treaty of Accommodation between his Subjects there and here in order to a lasting reconciliation and tranquility, before it is too late, and our common Enemies shall have availed themselves of the unnatural conflict. And in order to this desireable end, that the Troops may be withdrawn from Us and the several Acts of Parliament formerly objected to and those of the last Session on the disagreeable Subject, repealed; when we on our part will do away all associations and other things disgusting to our brethren in Britain and then we may treat on terms becoming freemen and friends, and lay the foundation of a lasting and reasonable Connection: But if our fate is determined and there is no choice left us but absolute Submission to the Mandates of a British Ministry¹ or resistance, We are determined to embrace the latter and pursue it to the last Period of our breath appealing to Heaven for the Justice and Rectitude of our intentions; and trusting in the Almighty Power and as Vigorous exertions of all the Means he shall be pleased to Afford Us, for our Protection and defence.

Resolved, That this Committee highly approve of the Conduct of the people in the Massachusetts Bay in their spirited and successful Opposition to the Troops under General Gage who on the 19th of April marched into the body of their Countrey to ravage and Oppress them; And are of Opinion that all America ought to join in Supporting that Province in such Opposition and their necessary defence against all future Attempts of the like nature.

That for this purpose as well as to guard against all Invasions or Insurrections which may be meditated or attempted in other Colonies, the Number of Men following ought to be raised and embodied in the Several Colonies and Provinces that is to say in New Hampshire in the Massachusetts Bay¹ in Rhode Island and Providence Plantation in Connecticut in New York in New Jersey in Pennsylvania in the three Counties on Delaware in Maryland in Virginia in North Carolina in So. Carolina and in the Parish of St. Johns in Georgia to be employed, as occasion may require, either for the [] defence and security of the Colony wherein they are raised, Or for the Assistance of any other pa[rt of] America where their Services may be wanting. Besides which the Militia throughout the Whole ought to be provided with Arms and Ammunition and kept in constant training and exercise in the best manner.

Resolved. That for raising, Arming and Maintaining the Men so

¹ The first page of the ms. ends with this word, and the continuation of the sentence is found on page 3. The resolutions that follow are on the second page, and may thus have been prepared at a later day.

to be embodied, a sum of money ought to be raised by a Continental contribution in the following Proportion, that is to say, By New Hampshire £ , By the Massachusetts Bay £ , By Rhode Island and Providence Plantation £ , By Connecticut £ , By New York £ , By New Jersey £ , By Pennsylvania £ , By the Counties of Delaware By Maryland By Virginia £ By North Carolina £ By South Carolina £ and by the Parish of St. Johns in Georgia £

And in Case money cannot be borrowed immediately in any Colony to answer their Quota as aforesaid, such Colony to Issue notes of credit for the Redemption of whi[ch] the Public Faith of such Colony shall be pledged by their Provincial Convention, and in the said Par[ish] of St. Johns such Security given as shall be approved of by ¹ the Redemption to be made by annual Proportions of the sum to be redeemed in each Province, so as to Call in and sink the whole within years after the Restoration of Peace between Great Britain and the Colonies and the Respective Legislatures of the latter shall have it their power to provide for such Redemption in a Constitutional way: And it ought to be earnestly recommended to every freind of American liberty to receive such notes in all payments and use their best endeavours to give them Credit and assist their General Currency throughout the Continent. The General form to be as follows:

"The Public Faith of the Colony of Virginia is hereby Pledged for the Redemption of this Bill (which is to pass for the sum of ten shillings) by the Payment of its amount *in gold at per Ounce, in Silver, at per Ounce, or in good Bills of Exchange upon Great Britain with a discount of per Centum for the difference of Exchange*, according to the terms agreed on by the Amer[ican] Congress at Philadelphia the day of 1775.

The device is to be now fixed (or if fixed in each Colony to be immediately commun[icated] through the whole and signed by the Deputies of each Colony to Congress, and also the Treasurer to be chosen in each Colony to Issue and Account for the money, who shall give proper Security to and Account with his Colony Convention. It is also recommended to the Several Committees of Counties and Corporations and all others to be vigilant in their endeavours to prevent and detect all attempts to Counterfeit the notes of Credit, and publish discoveries of such attempts.

That the Surplus of the money to be raised in each Colony beyond what is necessary to support its Troops to be raised as aforesaid, be as soon as possible paid by the Treasurer to the Committee of Correspondence who are to remit it to to be applied to the

¹ All blanks are in the MS.

Pay and Provision of the Troops so to be kept in the New England Governments and New York, and charged to Account of those Colonies respectively as they shall receive proportions thereof.

Mr. NORCROSS submitted copies of the following letters, belonging to Mr. George Clarendon Hodges, of Boston.

FROM THOMAS HUTCHINSONN to JOHN CUSHING.

MILTON, 30 July, 1767.

DEAR SIR, — I find you and I, and I suppose the rest of the world, are apt to be more sensible of some little slips we make which we imagine others take notice of, than some very great faults which are known only to ourselves. What you refer to was so very inconsiderable that if you had not preserved the remembrance of it I should never have once thought of it and I pray you never would again but let us both reserve our penitence for matters of more moment.

I wish I had any good news to comfort you. I believe what we hear from England is not without foundation. I am not sure that it will make us more disposed to peace and good order. It appears to me to have a very effectual tendancy to lessen the importance of some very bad men among us, but unfortunately it lessens at the same time some very important privileges which if it had not been our own fault we might have retained longer than you and I and perhaps any of our children shall live.

I have been wrote to upon the subject but I always scrupled saying any thing to forward or encourage such a measure and I know Mr. Jackson who had been so ill used by the country did not approve of it.

Otis says we shall know now who has been for supporting Acts of Parliament. I fancy if I might sell my interest in the Resolves of the House of Common he would give as much for it as any body. I assure you I set no great value upon it. If I was a young man I might make some advantage of it; but it 's too late in the day to lay schemes for years to come, and I cannot persuade myself that any new set of acquaintance in any other station would make my life more agreeable than it is at present.

What shall we do with Hawley? I can freely forgive him but how shall we save the honour of the court? Brother Lynde says it will never do to suffer him to plead before us without some submission. I am not sure that he will be of the same mind when we come to Springfield.

I desired Charles to send you one of my books. I don't hear of any criticisms yet upon any part of it. I have done with history but I don't know how to be idle. I think to go next upon biography, and to begin with our predecessors in the superior court. I have a good many anecdotes of Paul Dudley, Saltonstall, etc., but the most entertaining part will be from the lives of the present set. I know Goffe's history all the time he was at college, and I know enough of all the rest to keep you to your good behavior.

I will furnish you with a reply — *Nosce te ipsum*. I depend upon you to furnish me with memoirs of Clap.

But to be serious, I have got original letters and papers left, enough to make a handsome volume, which I think to print as I have no doubt many of them will be entertaining, some to one sort of people and some to another.

I have been here ever since our return from the Eastward, but intend next week to Boston. I am your affectionate brother servant

THO. HUTCHINSON.

JOSEPH WILLARD TO JUSTICES OF THE SUPREME JUDICIAL COURT.

CAMBRIDGE, Nov'r 4, 1786.

GENTLEMEN, — During Governor Bernard's administration in this Commonwealth [then Province] the General Court granted, to certain Proprietors, a number of townships, I think twelve, between Penobscot river and St. Croix; in each of which, they expressly reserved a lot for Harvard College. The jurisdiction was then in dispute, and so remained till the revolution; but the Proprietors, nevertheless, took possession and formed settlements.

The General Court, since the acknowledgement of our independence, have confirmed some of those townships. By a resolve of June 21, 1785, they confirmed four, without making any reservations of lands to the College.

I am informed, that about ten days ago, a motion was made in the lower House, to confirm the [lots grant]ed by former grants to the College, in the [above menti]oned townships; but it was strenuously [opposed a]nd nothing was done.

[So]me Gentlemen have given it as their opinion, [that by t]he Constitution of the Commonwealth, the College is entitled to those lands, without any confirmation from the General Court. As it is an affair of some magnitude to the College, I should be much obliged to you, Gentlemen, if you would, when you can find leisure, look into the Constitution; and if it should appear clear to you, that the College has a right to the lots formerly granted in those townships,

though not confirmed, I should esteem it, in behalf of the College, a great favor, if you would communicate your opinion in writing.

I have the honor of being with sentiments of the highest esteem and respect, Gentlemen, your most humble servt.

JOSEPH WILLARD.

WILLIAM CUSHING TO JOHN JAY.

BOSTON, November 18th, 1789.

SIR, — Having the honor of an appointment as one of your associates on the Supreme federal bench, I must beg the favor of a line from you respecting the time it will be necessary or convenient for me to attend at New York. If not inconvenient, I purpose to delay going till some time in January. As to the stile of writs, etc., which seems to be left to the determination of the Judicial, I am informed your opinion is that it should be in the name of the President of the United States, to which our district Judges here will conform, and which I think is right. By the Act regulating processes, the Supreme Court is to provide a Seal for the Circuit Courts. The district Judges to provide their own Seals. As it is said there are persons here who wish to commence Suits immediately in the Circuit Court, as soon as a quorum of the Supreme Court come together to take some order in that matter, would it not do to direct that the seal of that district Court might be used for the Circuit Court till further order?

I am informed that Mr. Sedgewick has wrote to you recommending Mr. Tucker for a clerk of the Supreme federal Court. He studied law with Mr. Lovell, after which he was, about five years ago, appointed one of the Clerks of the Supreme Judicial Court of this State; and has conducted to general approbation, is a Gentleman of good sense and agreeable temper and manners, a man of virtue and integrity.

I observe the law has prescribed the form of an oath for us, but has not said who shall administer it. I should be glad of your opinion relative to any of these matters, or any others respecting the business we are about to be engaged in, that you may think proper to mention.

I have the honor to be with high regard and esteem, Sir, your most Obedt. humble Servant

WM. CUSHING.

TIMOTHY PICKERING TO WILLIAM CUSHING.

DEPARTMENT OF STATE, January 27, 1796.

SIR, — The President of the United States desiring to avail the Public of your services as Chief Justice of the Supreme Court of the

United States, I have now the honor of enclosing the Commission, and of expressing to you the sentiments of perfect respect with which I am, Sir, Your most obedient servant,

TIMOTHY PICKERING.

WILLIAM CUSHING TO WASHINGTON [?].

PHILADELPHIA, February 2, 1796.

SIR, — After the most respectful and grateful acknowledgment of my obligations to you for the appointment you have been pleased to make of me to the office of chief Justice of the United States, and to the hon. the Senate for their advice and consent to the same; and after considering the additional care and duties attending on that important office, which I apprehend my infirm and declining state of health unequal to the weight of, I must beg leave to retain the place I have hitherto held, on bench during the little time I may be able, in some measure, to perform the duties of it, and pray that the *return* of the Commission for the office of chief Justice inclosed, may be accepted, and another person be appointed thereto.

I have the honor to be, with the greatest respect, Sir, your most obedient servant

W. C.

ABIGAIL ADAMS TO MRS. CUSHING.

QUINCY, March 5, 1811.

MY DEAR FRIEND, — I believe I may say with truth, that I have been your daily visitor through the dreary season of winter, and altho not visible to you, I have sometimes seated myself by your fire side, and held sweet converse with you; and not unfrequently regretted that it was not my good fortune to have been situated near your dwelling; then would your cheering countenance have enlivened the confinement I have experienced since I saw you.

That week I was taken sick; and am now only leaving my chamber: the weather has been so unpleasant, and the roads so obstructed by snow, that I have not been able to get abroad.

You will see by the publick papers that the president has nominated, and the senate unanimously appointed my son, as successor to your late, and ever dear Friend, in his office as judge, altho I know by information received early in the session from Washington, that it was his wish to do so, I considered his absence, as an insurmountable objection. I also knew what interest, what importunate interest would be made for many candidates.

The appointment was altogether [unexpect]ed both to the president and to me, the unanimity with which [it was] assented to, and the general satisfaction which it appears to [give to a]ll parties, will I hope and trust induce him to accept [the appoin]tment, which so honorably calls him back to his native [land and] which I hope will shield him from that spirit of [animosi]ty which has so unjustly assailed him. It will place him [out of re]ach of competition for office, which occasions so much envy and jealousy amongst all parties. I had rather have him hold the office of Judge, than that of any foreign embassy or even Chief Majistrate of the United States. I think my Dear Friend you will be gratified that the seat your Friend so honorably held, and so faithfully discharged will not be disgraced by his successor.

Both his Father and I have written to him, to urge his acceptance of an office, which he has heretofore, when mentioned to him, exprest a reluctance to filling if ever he should be appointed to it.

He will now have many motives to consider what then appeared to him, a place for which he did not consider himself adequate to.

I know the interest you take in whatever concerns your Friends, will plead my excuse, for making myself and Family the subject of this Letter. Pray let me hear how you are. My regards to your Sisters, and believe me at all times Your truly affectionate Friend

ABIGAIL ADAMS.

Remarks were made during the meeting by Messrs. MEAD, HART, W. R. LIVERMORE and SANBORN.



Edward J. Young.

MEMOIR
OF
REV. EDWARD JAMES YOUNG, D.D.
By JAMES DE NORMANDIE.

EDWARD J. YOUNG was born in Boston, April 1st, 1829 — the eldest of twelve children.

His father, the Reverend Alexander Young, D.D., was for nearly thirty years minister of the New South Church, or the Sixth Congregational Church in Boston, at the foot of Summer Street, generally known as Church Green.

Dr. Young was a typical Unitarian clergyman of that day, a cultivated gentleman of a kindly and genial spirit, gifted and accomplished as a preacher, of a grave and rather stern bearing, an intense lover of books, possessing a remarkable library, having a large acquaintance with the best English literature, and was a most exact historical writer.

It is interesting to note in how many ways the subject of this memoir followed in the offices and occupations of his father. Alexander Young studied at the Boston Latin School; graduated with distinguished honor from Harvard College in 1820; was assistant teacher in the Boston Latin School; graduated from the Divinity School at Cambridge; was Secretary of the Massachusetts Historical Society; member of the Society for Promoting Theological Education, of the Massachusetts Congregational Charitable Society, and of the Society for Propagating the Gospel among the Indians and others in North America, and Doctor of Divinity in 1846. Edward Young was also a member of all these societies, and in every one was esteemed for his fidelity and good judgment.

He attended the Chauncey Hall School, then under the charge of Gideon F. Thayer, and the Boston Latin School when

Epes S. Dixwell was the esteemed principal. Here he received several prizes and the Franklin medal, and had the valedictory upon graduating. At Harvard College he received a detur in the sophomore year, had a part at the junior exhibition, a first prize from the Boylston prize for elocution, and at Commencement delivered the English oration, on "The Reciprocal Influence of the Old World and the New." He was a member of the Institute of 1770; of the Natural History Society, and of the Phi Beta Kappa. He writes in a letter of being so well fitted for college that he had little to do in the first year, that his education was chiefly a drill in memory, and that there was no familiar footing of the scholars with the professors.

Graduating at nineteen, in 1848, he did not feel that he was prepared to enter the Divinity School, and so taught for a while in the Brimmer School and the Public Latin School in Boston, and prepared private pupils for advanced standing in college, spending the money he thus gained for books. In 1849 he considered for a time the plan of going to Philadelphia to establish a classical school. He was urged to do this by several who regarded him as eminently fitted for such a work. John T. Sargent speaks of his singular aptness to teach. Professor Felton writes that he had greatly distinguished himself in college, and had been a very successful teacher; Edward Everett recommended him highly, and Dr. Furness urged him to come. But although enjoying teaching, he felt all the time that his place was in the ministry, and in 1850 he entered the Divinity School at Cambridge. Here for a time he was not a little disturbed at the unsettled conditions of thought in regard to the Bible and in regard to many of what he had considered the essential doctrines of Christianity. The higher criticism, the fruit of great learning and of devout consecration, upon the results of which there is now a general unity of thought among scholars and in which we rest so securely that we know there is not a single point which can disturb our faith in great spiritual verities, was unknown. The tendency to a bold radicalism was strong and increasing. It was the radicalism of some of the German school of theologians which was loudly denounced, but the denunciation seemed to him unfounded, for few of those who denounced it could read German or could fairly enter into their view. In a controversy between Andrews

Norton and Mr. Ripley it was said that the latter could read German but Norton could not. Mr. Young thought there was little thorough work among the students, and he had the scholarly instinct and training to be thorough. At this time he showed a marked sympathy towards Theodore Parker, whose South Boston sermon had stirred the whole community — not altogether towards his views, but because he felt that he was being condemned and persecuted while no one had shown sufficient knowledge to answer him.

After studying for two years in the Divinity School at Cambridge, all the time growing more and more interested in, and more and more perplexed and questioning about, the great questions which were moving the theological world, and feeling that he must go where the leading theologians of the world with profound scholarship were studying them, he borrowed money, insured his life for its payment, and took a sailing packet from New York to Hamburg, to pursue his studies in Germany. The voyage occupied thirty-five days. He spent four years in Germany, one year a student at Göttingen, where he heard lectures by Ewald, Lücke and Gieseler, and then three years at the University of Halle, where he studied under Hupfeld, Julius Müller, Roediger, Tholuck, Erdmann and others.

He entered into the life of a German student with great enthusiasm and joy and diligence. He writes: "An American student in Germany is not distracted by daily news and papers — there were none. He lives in a scholarly and literary atmosphere. He is in the presence of men who have given their lives to study, are famous by their books, and he catches inspiration from them," and then adds, "It is a great thing to look at one's own country from a distance."

Of some of the students at the university he had not a high opinion. One never went into a lecture-room, but spent his time in fighting duels. He had been there several years and could not graduate. The Emperor William, on a visit to Bonn, expressed the hope that his son would do as all the rest did, drink beer and fight duels.

Mr. Young is enthusiastic about some of the professors. "Tholuck conversed with each one of several nationalities, at the table, in his own language. He said to me, 'When I go to

church I do not want to hear an argument, I go to have my heart touched.' Dorner's last words were, 'The old truths require new statements.' Bunsen was a splendid-looking man, and such an admirer of Channing that he called himself a Channingite. Baur impressed me greatly. An old man; heavy folios all over the floor of his study. He had lost his wife, and said he had little other satisfaction in life than in study and in his works. He was willing to yield this or that point of biblical criticism, but thought the great question was whether the Gospel of John did not belong to the middle of the second century."

Ewald seemed to Mr. Young like an old Hebrew prophet. Tall, with a sonorous voice, full of fire and moral earnestness; never sitting down during his lectures, but erect and vigorous. "I cannot describe," he says, "the enthusiasm with which I attended his lectures. Like most German professors, he seemed to think that if *he* had not written the convincing word upon a subject, no one had. He never referred to any books but his own. His papers were all disfigured with his political diatribes. His bitterness against Gesenius was very marked, and he prayed 'O Jahve, show that fool,' — but you felt as if you were listening to David himself. He made the Psalms real and vivid, because he set them in their appropriate framework; as if a fighter and a monarch were behind them. The predictions against Tyre he constantly applied to France and Napoleon. The Old Testament became an entirely new book in his treatment of it."

He describes Alexander von Humboldt as a small figure with penetrating eyes and a fine forehead, who read and wrote very late, slept only a few hours, and was very bitter against American slavery.

While in Germany Mr. Young secured for the Cambridge Divinity School, through the interest of Dr. Noyes, the valuable theological library of Lücke, and he was authorized to offer to Yale and Harvard the valuable manuscripts of the New Testament, some of them double palimpsests which Dr. Tischendorf, who had just then returned, brought with him from Mount Athos, but vainly endeavored to have the universities purchase them. Harvard's reply was, "We have no money for such things, which will only gather dust in the library."

During the last year of his diligent and rich student life in Germany, Mr. Young began the translation of Erdmann's *History of Philosophy*, and completed the first volume.

Sir William Hamilton writes: "With regard to the translation itself, the difficulties to be overcome cannot be sufficiently appreciated except by those who have a clear conception of what it is required to do, and of the mode in which this may best be done. I have seen enough of Mr. Young's translation to be convinced of its fidelity and excellence in every essential respect. It is clear and idiomatic in style, as indeed is the original; it embodies many new additions, communicated by the author, and contains various annotations which will be found of peculiar value by the non-German reader."

Dr. Tholuck says: "With respect to the ability of the translator for such an undertaking, I will not enlarge further than simply to say that he combines in a high degree an accurate knowledge of the German language with acuteness, judgment and taste."

Humboldt says: "Professor Erdmann has found in Mr. Edward J. Young a faithful and worthy interpreter of his ideas and sentiments — being intimately acquainted with the genius of the German language, and having completed his literary education during a residence of several years at two of our celebrated universities. Elegance of diction, suggested by the ideas themselves, enlivens the delineation without impairing the perspicuity."

And Prof. Noah Porter says: "Mr. E. J. Young has, in my opinion, important advantages which promise well for success, — a mastery of the German language and of the philosophical dialect of the Germans. He proposes also to make this translation at Halle under the eye and with the assistance of the author. He is a thorough student, a successful teacher, very painstaking, and his style is accurate and vivacious."

But Mr. Young did not complete the translation, because he could find no publisher willing to take the risk of bringing it out.

Several of the German theologians were most enthusiastic in their praises of Mr. Young's scholarship, and prophesied a high place for him among the theologians and preachers of New England, and were his friends and correspondents until they died.

In 1856 he returned to Boston, with such scholarly preparation as hardly another of our clergy had at that time, and after being approved by the Boston Association of Ministers was ordained as minister of the Channing Church at Newton, June 18, 1857, and there began a ministry of twelve years, of diligent work in and outside his church, and of large results and endearing ties. A most acceptable minister, a preacher of fine literary and spiritual expression, endeared to all his parish and prominent in every work of a good citizen, so that when he resigned he received a valuable testimonial signed by all the prominent citizens of every political complexion and all religious denominations, in recognition of his services in behalf of the schools, the library, and all the social, philanthropical, and religious interests of the town.

He was married in 1859 to Mary Clapp Blake, daughter of Mr. James Blake, of Boston, by whom he had five children: Edith Loring, Edward Blake, Caroline James, Herbert Everett and Charles Franklin.

In 1868 he was appointed a professor in the Boston School for the Ministry, which was established to meet what was thought to be a demand of the time, to prepare young men for the ministry without the classical or elaborate work demanded by the old theological schools, but which, after a short period, was abandoned.

In 1869 he accepted the position of Hancock Professor of Hebrew and other Oriental languages, and Dexter Lecturer on Biblical Literature, in Harvard Divinity School. To the duties proper of this professorship he at first, as Professor Noyes, his predecessor, had done, gave instruction to the students in criticism of the New Testament. The necessity for this was however removed in 1872 by the foundation of the Bussey Professorship of New Testament Criticism, so that Mr. Young was left to fill the chosen position for which he was better qualified than almost any one filling the same chair at any of our theological schools, and entered upon the work with great earnestness and joy, and with a large measure of success until 1880.

Two difficulties beset his professorship. There was a growing disinclination among the students to pursue the study of Hebrew, and it was almost impossible to make it attractive.

More and more it was thought that as it was impossible to become proficient in it during the short time set apart for it, and more and more as the profound students of that language were devoting their whole work to the Old Testament and the results of modern criticism; and the scientific method and the historical method, were bringing such startling results to those who had rested upon the old views of inspiration and interpretation, — it was better to accept these conclusions based upon the higher authority of learned and consecrated students; for what profit could the study of a few months for two or three years give!

The students of the Harvard Divinity School were not alone in their repugnance to the Hebrew. It was said that at Andover the Hebrew department was so dry that Professor Park's lectures had to be brought in to float it. All Professor Young's enthusiasm for the language as a good equipment for theological students, which he felt had been a great gain to him in Germany, could do little to stem the current against it. A pamphlet he wrote on "The Value of Hebrew for a Minister" was the earnest appeal of a true scholar, and attracted much attention. Samuel Davidson, the eminent theologian of the University of Halle, and author of "An Introduction to the Old Testament," praised it highly, and Dr. Holmes wrote to him upon receiving a copy: "Almost thou persuadest me to be a Hebraist. I got so far as to know Aleph, but honestly I had quite a lively appetite excited by your discussion for a full meal of those old square letters."

In the letter praising Professor Young for his pamphlet on "The Value of the Study of Hebrew for a Minister," Professor Davidson has this interesting passage: "Age dulls the appetite for locomotion and makes one content at home till the summons comes for final departure. The longer I live I have the stronger faith in that personal and glorious immortality which awaits all human beings, under the moral government of a just and beneficent Father. None was ever created to be destroyed or tortured forever."

Nor was Mr. Young alone in the discouragements about the study of Hebrew, which gave the impression to the authorities that he was not giving satisfaction in his work. Wigglesworth, writing in 1653, says: "My pupils all came to me yesterday to

desire they might cease learning Hebrew. I withstood it with all the reason I could, yet all will not satisfy them. Thus am I requited for my love, and thus little fruit of all my prayers and tears for their good. God appeared somewhat in inclining the spirit of my pupils to the study of Hebrew, as I had prayed that God would do. I was much perplexed in mind with many thoughts to and fro about leaving the college, one while ready to and resolved upon it almost and quite another way, and I know not what to do. How to live here and keep a good conscience because my hands are bound in point of reforming disorders, my own weakness, and pupils' froward negligence in the Hebrew still much exercise me. Yet for all this trouble God hath been with me in my personal studies, for this day I began and finished all that part of my synopsis which treats about method."

Sidney Willard also writes: "My Hebrew classes were small, much as they had been in past times. In translating a Hebrew word, the eyes of a pupil would sometimes wander and seize upon the wrong Latin word in the margin for its meaning, producing a ludicrous effect. One of the students, a grave youth who never meant to do anything wrong, acquired the habit of translating the Hebrew word Jehovah into Jupiter. I suppose there were and are scholars who might excite some zeal in the study of the oriental languages; *but the general impression is and ever has been at our university* that the value of such learning does not repay the labor and pains necessary to be undergone in its acquirement. I once asked Professor Stuart whether there were many good Hebrew scholars in his classes; and his reply was emphatically, and in substance, *very few.*"

On the 26th of February, 1880, Mr. Young offered his resignation as Professor in the Divinity School at Cambridge. Many changes were proposed in regard to the school. It was to become entirely unsectarian in its teaching force, and the chair which Professor Young had filled was wanted by the Governing Board for one who was thought to be of more value and distinction in carrying out their plan. His pupils for several years sent ample and overflowing tribute to his fine scholarship, to the thoroughness of his work, to his personal interest and guidance, but it was decided that a change must be made, and

Professor Young had no desire to stand in the way of what he saw had been determined upon, and so he parted from the school, but it broke his heart. It was an overwhelming surprise; it wounded him as being to others a rebuke to his superior scholarship, for which he had spent so many years of faithful study, and in which he had a just pride. Life was never quite the same to him afterwards. He bore it all with a beautiful and uncomplaining spirit, without reproach to others even in the depth of a feeling that he had been arbitrarily and not quite fairly dealt with.

He immediately returned with an undivided interest to the ministry, which was always dear to him, and after invitations to two or three good parishes was settled over the First Parish in Waltham in 1880.

The offices in two societies which Mr. Young held for many years were most congenial to his studies and his nature. From 1874 until 1899 he was secretary of the "Ministers' Club," founded in 1870. At the time this club began there had been no such clerical gathering in this, or perhaps in any other country. It included representatives of several denominations, many high in ecclesiastical positions and in various institutions of learning, representative men in theology. The idea of the society may have been suggested by an earlier one in England called the Metaphysical Society, which description was supposed to be rather wider than that of a theological or a scientific club. It included such persons as Dean Stanley, Dean Alford, Cardinal Manning, Huxley, Tyndall, Gladstone, Dr. Carpenter, Morley, Mivart, and many others, but after twelve years came to an end, because, as its founder stated, "there seemed very little to be said which had not already been repeated more than once." At one of these meetings Ruskin declared, "If a second Joshua to-morrow commanded the sun to stand still, and it obeyed him, and he therefore claimed deference as a miracle-worker, I am afraid I should answer, 'What! a miracle that the sun stands still? Not at all. I was always afraid or expecting it would. The only wonder to me was its going on.'"

But the Ministers' Club has continued for over forty years with no decline of interest, unity, fellowship and harmony. It seems to have won the strong attachment of all its members, and no one of any sect has left it without the strongest expres-

sions of regret. One writes: "Absence from our monthly gathering always leaves a felt blank and void in the monthly life." Another, "The spirit of unity and charity in diversity is a glimpse of heaven which I am loath to lose." Another, "This removal unsolders the goodliest fellowship of its kind I have ever known or expect to know on earth." Another, "I shall keep a vivid memory of the sweet and Christian temper which has characterized the discussions and which has been to me an education in the true spirit of free thinking and free expressions." The great verities of religion were regarded as more important than their sectarian badges; but while each one was frank and outspoken in his views, all felt there was something deeper and more valuable than intellectual opinions — and so they have always kept the unity of the spirit in the bond of peace; and no one helped more to preserve and deepen this spirit than Dr. Young through his long secretaryship. When at last he felt he must give up, the following note was sent to him:

MY DEAR DR. YOUNG: The Ministers' Club at its meeting held at the Brunswick Hotel, April 6, 1899, requested me to express to you in their behalf our sense of indebtedness to you for the services you have rendered as the Secretary of the Club for these past twenty-five years. We recognize that we owe to you in great measure its continued existence, and that without interruption it has gone on from month to month and from year to year in an orderly, harmonious sequence of meetings. We recognize gratefully the time and care you have bestowed upon all the details of its administration, which must have called for great patience; your never-failing promptness and punctuality in keeping us to our duties; your unvarying kindness and high Christian courtesy; the dignity and distinction with which you have clothed your office. You have given to what must often have been irksome drudgery a certain graceful and divine quality, as though all had been done by you under a sacred sense of responsibility to our common Lord and Master. We thank you for all that you have done for us, in the conviction that essays and discussions of the Club have been a participation, however imperfect, in the eternal reality of the Divine Truth and Wisdom, and that in recognizing our obligation to you we are asserting our faith in Him who has inspired and sustained you in working for us.

In behalf of the Ministers' Club,

Yours very faithfully,

ALEX. V. G. ALLEN.

When the letter was read, there was a general expression of the members that Dr. Allen had emphasized just those traits in Dr. Young's character which many of us had recognized and loved for many years both in and out of that goodly fellowship.

Another office which Mr. Young held for many years and which was very congenial to his tastes and studies was that of Recording Secretary of the Massachusetts Historical Society, to which he was elected in 1883.

This office he resigned in 1898, but, at the urgent request of the Society, withdrew his resignation and retained the place until 1906, having fulfilled its duties most acceptably longer than any of his predecessors.

To this office he brought the care and faith and accuracy which marked all his work. Indeed he was always interested in historical questions, which he pursued in the true historical method. Among the numerous papers, orations, articles, biographies, sermons, pamphlets he communicated to various periodicals and societies none are more valuable or show more research than those of an historical nature. It is unnecessary to name all of these, but among them those of a less transient and more important character are as follows:

Address at the laying of the corner-stone of the Newton Free Library.

Remarks at the Centennial Anniversary of the Birth of Alexander von Humboldt.

Dedication of the Soldiers' Monument in Newton.

Address at the Bi-Centennial at Sudbury.

Subjects for Master's Degree in Harvard College, 1655-1791.

The Early Religious Customs of New England. Address at the Two Hundredth Anniversary of the Building of the Meeting-House in Hingham.

Remarks at the Celebration of the Four Hundredth Anniversary of the Birth of Luther.

Remarks at the Dedication of the Library in Lincoln.

Address at the Quarter-Millennial Celebration of the Towns of Sudbury and Wayland.

The Value of the Study of Hebrew for a Minister.

Memoir of Samuel Abbot Smith.

Memoir of Professor J. Lewis Diman, D.D.

A Tribute to the Memory of Henry Bigelow, M.D.

Mr. Young was a Fellow of the American Academy of Arts and Sciences, a member of the American Oriental Society, of the Massachusetts Congregational Charitable Society, of the Society for Promoting Theological Education, of the Trustees of the Hopkins Fund, and of the Colonial Society of Massachusetts. He received the degree of A.M. from Harvard College in 1851, and the degree of D.D. from Tufts College in 1887.

Dr. Young, without any of the appearances of age, felt somewhat its infirmities, and was obliged to give up the secretaryship of the Massachusetts Historical Society in 1906, and after a few months of failing strength died at his residence in Waltham on the 23d of June in that year. A large number of friends of many years gathered for the funeral services, at which the following tribute was paid to his beautiful character:

We pause for a moment on our way to the grave, in this home of such sweet affections, not for tears, nor grief, but for a word of gratitude for the memories, the friendships, and the strong chord of human fellowship that have bound us all to our brother. No word or deed can come back to any of us not in entire keeping with the finest spirit of a true Christian man, a true Christian minister, a true Christian teacher, a true Christian citizen, and a faithful friend who is the medicine of life — and all of you who have seen him come in and go out among you on these streets and in these homes for a quarter of a century, will bear witness to this. What a priceless legacy is this to those bound most closely to him in filial love and devotion.

He came to his life-work in the ministry not only with the careful training and the beautiful spiritual example of a father who was the minister of one of the leading congregations of Boston, but with what was rare in those days, a thorough preparation in the German universities and in close acquaintance with some of their most distinguished theologians, and brought back the results of a well-trained and well-stored mind for all his future work. His views of life and of religion broadened and deepened with time, and seemed only to mellow and ripen all his nature.

Blameless and unostentatious, rigidly just and charitable to the opinions of others, with a happy union of courtesy and kindness; of sterling worth which courted no observation and

no publicity, but revealed itself more and more fully with every stage of growing intimacy; modest and retiring before the great truths of the universe, and yet conscious of his life-long study of them, — here was a life strong in its gentleness, loyal in its love, firm and independent in its reverent dependence.

He was ever looking for those deeper religious realities which lie at the heart of things, which only could bring sects and churches and lives together beneath the names they bore. He cared for no knowledge that was not illuminated by love, and it was impossible for him to say a harsh or ugly word of another, even when he felt he had been unjustly blamed, — he bore outwardly with a brave spirit a burden which took the enthusiasm, but not the working power, out of his life.

Faithfulness marked every act of his life, as minister, as professor, as citizen; in all literary and benevolent offices, in friendship, in all those sweet domesticities which by his influence gathered added richness through all his years. The test of religion was to him simple righteousness; the effort to know and obey and walk in the right path was to him the supreme obligation, the deepest secret and proof of the spiritual life. He did not pause to ask from what mine the precious stones that reveal the just and honorable came, but only that the gem was real.

The words which belong to these moments are not so much eulogy as of the thought of immortality. No one was ever argued into a belief in the future life, but the heart easily accepts that which to logic is ineffectual.

We take comfort in thinking that in the case of the young who go from us there must be some other realm, some other opportunity to fulfil the promises so suddenly gone out here. Here where we never quite reach our ideals, nor embody our conceptions, where our endeavors are so far beneath our attainments, this constant outreaching, upreaching seems to point to a future of longer and higher and more fruitful service — but there is something which comes to us at times with a still deeper assurance upon a subject where no actual knowledge has been vouchsafed unto us, and where the veil lifts and drops too suddenly for mortal vision to look through. When all the powers which relate to this present existence decline, *character* grows and deepens under the lengthening shadows

and is never so radiant or attractive as in the latter days of a devout and kindly pilgrimage. Now this growth in what constitutes spiritual life, this culminating as one declines, is what, in the presence of age, the heart invests with the quiet hope of immortality.

In the churches to which he ministered, in this community, in this home, in the large circle of his friends, we shall be grateful for years to come for the companionship, the helpfulness, the faithfulness, the affection, of that influence which belongs to what is unseen and eternal, and we will say: Blessed be Thy name, O God, for the memories of all these years, and blessed be Thy name, that with gracious and tender loving kindness Thou hast opened to him ways of higher service.

And if he could speak to us to-day we are sure it would be in words of a most tranquil faith, "I am quite ready to put my hand into that of the summoning Angel and say, 'Lead on, O messenger of God our Father, to the next place whither the Divine Goodness calls me.'"

How beautiful life grows in the thought of such a life; how friendly death appears in the thought of such a death.

The path for him ran how clear over the shadowy valley into the Kingdom of Light.



John Fobes

MEMOIR

OF

JOHN NOBLE

By ROBERT S. RANTOUL.

JOHN NOBLE, a Resident Member of this Society from March, 1899, until his death, will live in memory for his balanced and attractive character, and through the monumental labor he accomplished in preserving and arranging and opening up to general use the Colonial and Provincial Records of the Courts of the Commonwealth. Not since Dr. Palfrey's day has any one made a more substantial contribution to the annals of our State. For this rare work he was specially fitted by his New England extraction, by his strong antiquarian leanings, and by his finished education. His family-tree struck its roots deep in our native soil. A paternal ancestor was probably at Marblehead as early as 1678. One of his maternal ancestors was, in the first Boston decade, the owner of Copp's Hill, and a brother of John Noble, the eminent Boston educator, George Washington Copp Noble, perpetuates in his name the family association with that historic spot. The first American generations of the Nobles of the Sea-Shore were seafaring folk, affecting Bible names. The Nobles seem also to have had a habitat in Western Massachusetts. A Lazarus Noble was in Portsmouth, New Hampshire, as early as 1696, — possibly a son of Christopher Noble who was in Portsmouth in 1684, and who was thought to have been in Marblehead in 1678. Moses, the son of this Lazarus, was, with his wife, who was Mary Staples, at Portsmouth in 1731, where their son Moses was born, and where he died in 1796. There was a Lazarus Noble of a later generation, who experienced, in 1753-1755, the unutterable horrors of Indian captivity, — both he and his family, — and, es-

caping himself, was sent back by Governor Shirley to Quebec, to conduct a prolonged negotiation in the name of his Majesty, thinking that he might secure, through ransom, threats and appeals to the chivalry of the French, the release of his tender children, — some of them girls, and sons named John, Matthew, Benjamin and Joseph, — all sold to the French for slaves by their Indian captors. The wife of the second Moses was Hannah Jackson Simes, a daughter of John Simes, who came from Devonshire to Portsmouth in 1718, and married there.

The second Moses Noble had a son John, born at Portsmouth in 1761, who there married Sarah Chadbourne, and who died there in 1818. Sarah Chadbourne's pioneer ancestor, William Chadbourne, came in the *Warwick* in 1631 with Mason and Gorges, and remained at Portsmouth, then called Strawberry Bank, where he is thought to have built, on a hillside buried in strawberry vines, the "Great House" which dominated and gave name to the place. This John, the son of Moses Noble, had a son Mark, thus tracing from the Chadbournes and Langs of Portsmouth as well, born there in 1802. He married Mary, a daughter of George Washington Copp, and a granddaughter of Colonel David Copp who commanded a company at Bunker Hill, — there were Nobles and other Copps at Bunker Hill, — and who served throughout the War of Independence, and later, for years, sat in the legislature of New Hampshire. Copp's Hill at the North End of Boston was the residence of an ancestor as early as 1635. One of the Copps was an elder of Cotton Mather's church. Sewall attended his funeral in 1713. One of them had prescience enough, as early as 1776, to name a son for George Washington. One of them had been praised by his Commander-in-Chief, when on guard duty, for stopping Washington's carriage because the counter-sign was not forthcoming. Mary Copp's mother was a Palmer, a granddaughter of Barnabas Palmer who came from the north of Ireland in 1741, and, four years later, lost an arm at Louisburg. He also sat in the legislature of New Hampshire, and he married a granddaughter of Ann Dudley Hilton, who was descended from Justice Hall of the Supreme Court of New Hampshire and also from Ann Dudley, the first woman in New England to disclose the lyric gift, — she it was whom Mather welcomed as the Tenth Muse.

Mark Noble and his wife, Mary, were the parents of John Noble, the subject of this memoir, who was their eldest child, born April 14, 1829. Mark Noble was at that time a conspicuous citizen of Dover, New Hampshire, and was soon after the president of a savings bank at Somersworth, New Hampshire, whither he had removed. A portion of this latter township, lying upon the boundary-line of Maine, and upon the fine water-power of the mountain stream which divides these States, was afterwards set off under the name of Great Falls, and there Mark Noble died in 1869. But the Nobles had lived to repeat the error Washington made, when he chose for private investment the eastern section of the newly projected national capital which was to bear his name, supposing, as everybody did, that its population and growth were sure to take an easterly direction. The region of Mark Noble's residence had its halcyon day, when a mushroom-growth of mills and other industrial structures sprang up to utilize the beautiful falls of the river, and when prices advanced with leaps and bounds, and dwellings could scarcely be provided or house-lots plotted fast enough to meet the growing needs. Then came the panic of 1856, followed closely by the Civil War. Real-estate investments became unproductive. Mark Noble's prudent husbandry of his modest accumulations availed him nothing. His health had failed him, and his death followed close upon the war. On the same day in August, 1869, he and his wife Mary passed away. The slower and healthier growth of the place which gradually succeeded came too late for the relief of the family exchequer. If every man is doomed, at some time in his life, to meet his share of disaster, John Noble was thus early called to confront his share. His parents' death left him, at the age of forty, with sisters and helpless dependents leaning on his aid.

He fitted himself for college at Phillips Exeter Academy and was graduated at Harvard in 1850 with the first honors of his class, and what Dr. Everett rated the highest stamp of class-distinction, its choice as class-day poet. From 1850 to 1856 he found congenial work as usher and sub-master at the Boston Latin School, and in the year last named entered the Dane Law School, adding, in 1858, to his Harvard degree of A.B. that of LL.B. He was at once admitted to the bar, and established himself alone, in the spring of 1859, in an office on Court

Street, Boston. Two years later, we find him sharing rooms with an older professional friend, at number 20 Court Street, but, his practice not growing in the ratio of his needs, he continued to receive private pupils who were prompted, by his success as a teacher at the Latin School, to secure his aid in preparing themselves for Harvard. Finally, in the autumn of 1869, he became a roommate of the writer, the two sharing offices in Pemberton Square, but, as in the former instance, contracting no business relations. Here he continued his course of private teaching, and the association with the writer was only dissolved in 1875, when he accepted an appointment to the Clerkship of the Supreme Judicial Court for Suffolk County.

A personal digression may be pardonable here. In January, 1865, I had been commissioned by Lincoln as Collector of the Customs at Salem, and in June, 1869, I had been displaced at the instance of General Butler. It was thought well for me to try the experiment of renewing a law practice in Boston rather than in Salem. Mr. Noble happened to be just then in search of rooms, and, though he was known to me only as a name, but as a name with a fragrant aroma about it, we allowed ourselves to be brought together as co-tenants, through the friendly offices of Darwin E. Ware, whom we both knew well, and whose voucher was quite enough. For six years from the autumn of 1869, Mr. Noble and I were in daily contact, leasing rooms in the Sigourney house, then converted, like so many dwellings in that section, for business purposes. From being a favorite residential quarter, Pemberton Square had become a favorite resort for lawyers, architects, and those of other callings which demand retirement. It was central and accessible but, above all, it was noiseless. Not many years before, it had been the chosen home of such conspicuous citizens as Mr. Winthrop, John Amory Lowell, and Ebenezer Francis. Not many years later, its whole western side, embracing the Somerset Street residences of Mr. Webster and of Colonel Thomas Handasyd Perkins, was to make way for the new Suffolk Court House, where Mr. Noble did his most important work. It was an eligible resort for our requirements, but a gruesome episode attaching to our occupancy will not permit itself to be forgotten. The last renewal of the lease was executed by Mr. Sigourney

just as he was taking a train for New York, accompanied by his entire family with the exception of one son who was left at Harvard, to embark for Europe on the fated *Ville du Havre*. The disaster which overtook that steamship left the son at Harvard the sole survivor of a vanished household!

Neither of us obtaining practice enough to fully occupy our time, Mr. Noble had recourse to the work of private teaching, which he had so successfully followed, and I to writing for the daily press. My roommate recalled, with no small measure of pride, a distinguished group of young men who owed to him, as their Mentor, something of their success in life, for it embraced such names as President Abbott Lawrence Lowell, Judge Francis Cabot Lowell, Francis Lee Higginson, J. Montgomery Sears and Dr. William Everett. Upon this last name, that of his first and youngest pupil, he dwelt with peculiar feeling, for he introduced Everett to his earliest knowledge of Latin, having been entrusted with his tuition while President Everett was at the head of the College, and having afterwards taught him as a Latin School pupil. At the end of a six years' association in these offices, I took my final leave of Boston for an extended foreign tour, and Mr. Noble transferred his interest to the Clerkship and his occupations to the Suffolk Court House.

Before discussing the important function which Mr. Noble was destined, for the remainder of his life, to discharge, let me devote a page to the estimate in which he was held by the associates whom he had gathered about him in his earlier years. This estimate was singularly unanimous. Those who knew him at Exeter, those who were pupils under him at the Latin School and later, concur in judgment with those who met him as a college classmate and with those others who were brought into business relations with him at the Bar. Everywhere he was accepted as the embodiment of high ideals. His standards were practical. Harvard never graduated a more loyal son, nor one whose fondness yielded more perennial fruit. He seemed to restore the elder time when the struggling college — scarcely more than the high school of to-day — craved the active help of all who owned her as their Alma Mater, when the evangelical clergy of the section, seeing what a power she might become in their hands, and how different a place New England would have been without her, made of the college an

object of their especial ascriptions, and when the name of Harvard was almost a fetish, or a spell to conjure with, in our part of the world. The profound satisfaction he derived from his part in preparing for admittance his many successful pupils was only greater than the pleasure he felt in contributing to the election of some friend's son to one or other of the better college clubs, as a ready means of keeping alive the feeling of class-community he held so precious. The only limit of his efforts for the aggrandizement of Harvard was the extent to which his daily enjoyment of life was due to his college connection. And I can well imagine the amused delight with which, in his researches, he unearthed the papers printed by him in the Colonial Society's publications, forming the record of a trial, in 1685, for "Frequenting the College contrary to Law,"¹ and again, an old Commencement Program which he made the subject of a paper.² To have taken the course at Harvard he regarded as a special providence, if not a crowning mercy. Probably no man ever received the Harvard diploma with a deeper sense of grateful obligation. The feeling grew upon him with his years. With him the bond of college fellowship was not so much a sentiment as a real asset in life. To miss a class dinner, a club dinner, or an alumni dinner would have been to him a serious grief, and the fact that any graduate, however unworthy, cared enough for these functions not to absent himself from them, seemed to give him a claim on Mr. Noble's regard. For himself, he would no more neglect or overlook one of these occasions than he would forget a birthday in his family. The tie was worth strengthening by every means. Of what value it might not prove to the weaklings of the class who needed bracing up, it was not for him to say. Certainly no indifference on his part should help to loosen it. They were all fellows, and his good-will went out to all alike. He would do his best to respect them all, so long as they made that possible. Among his classmates he was able to count such men as Thomas Jefferson Coolidge, James C. Carter, Charles Hale, Augustus Lowell, and William Sydney Thayer. He enjoyed their distinctions as though they were his own, albeit, as will presently appear, he was by no means without distinctions of his own. As happily for him as for his

¹ *Transactions Mass. Col. Soc.*, III. 448.

² *Ib.* VI. 266.

Alma Mater, he lived to serve twelve years on the Board of Overseers.

College honors seemed to be his for the asking. He was a member of the Phi Beta Kappa Society, of the Hasty Pudding Club, of the Alpha Delta, of the Institute of 1770. He was president of the Undine Boat Club of 1849, summoning its first meeting, and he organized the Base Ball Club. He was chairman of the class committee, and prime mover in the class dinners. He wrote a poem for the quarter-century, and another for the half-century dinner, of which his classmate, our late associate, Quincy, who had ventured so far as to gather his own verse into a volume, remarked that they were a worthy echo from the lyre of his kinsman, the bard of the class dinner *par excellence*, Dr. Holmes. Whenever a function typical of good-fellowship was to be discharged, Noble was the first man thought of. He was chairman of college committees for selecting candidates for the Board of Overseers and for testing the students in the quality of their work. He was an Overseer for twelve years. He filled the Greek tutorship during a temporary exigency, and was so favorably known to President Everett, for this and for the skill he had displayed in tutoring his youngest son before he reached his teens as well as after, that he never lacked that distinguished encomium. Dartmouth conferred upon him its Doctorate of Laws.

To have filled for a generation with entire acceptance the post of clerk of our highest court was, in itself, a career sufficiently marked to satisfy a reasonable ambition. To have assumed, besides the normal occupations of the office, an added burden which few men could have borne, and to have carried that forward to a wholly successful issue, was enough to stamp him as no ordinary man. And the mere recital of the rare opportunities which came unsought in his way, from time to time, will show how far the qualities which were seen by his friends to characterize him were recognized by a wider circle.

When first entering practice at the bar, Mr. Noble was offered by one of his boyhood companions and South Berwick neighbors, Francis D. Hayes, the position of law-partner which was accepted by Charles F. Choate, and, soon after, Mr. Noble might have had a place on the bench of the Municipal Court

of Boston, which was assumed to lead up, in the case of so good a lawyer as he, to rapid advancement and a distinguished career. In commenting upon his declination, Professor Jeremiah Smith of the Dane Law School, himself a former Justice of the Supreme Court of New Hampshire, and the son of a Chief Justice of New Hampshire who bore his name, writes: "Had he taken the place, I think that his fitness for judicial work would have been so manifest that he would soon have been promoted to a higher court. Upon the Bench of the Superior or Supreme Court he would have done excellent work, and could hardly have failed to achieve a high position in professional esteem."

To recount opportunities lost and proposals rejected on the way through life is as idle as it is in general to speculate on what might have been. But some offers which Mr. Noble declined, beginning from the day he left the Law School, were as flattering as that of the clerkship which he accepted. In 1859 he refused an offer of the Professorship of Ancient Languages at Washington University in Missouri, and, not long after, an offer of the Chancellorship of that University. In 1868 he was offered the Chief Justiceship of the Hawaiian Islands. In 1869 his kinsman, Paul Chadbourne, in youth the protégé of Mark Noble, quit the chair of the University of Wisconsin for that of Williams College, and Mr. Noble might have succeeded him in the chair he left. In 1874 he might have had a place on the International Tribunal which was called into being at that time for regulating the affairs of Egypt, and, the year before, by a concession such as the Huguenot of Navarre found it easy to make when he declared that Paris was worth a mass, or such as a British princess has just made for a few years' seat on the tottering throne of Spain, Mr. Noble might have become the principal of Exeter Academy, a position which he would have graced and honored. But dogma stood in the way.

Phillips Academy at Exeter was the preparatory school which had fitted him for Harvard. It was under the control of a Board of Trustees as heterodox as himself. He was for ten years superintendent of the Sunday-school at Dr. Hale's church. But Governor Phillips, living in an age when what a man could bring himself to say that he believed was thought

to be a safer test of character than the life he led, had incorporated in his deed of trust a provision that only a member of an evangelical church could be the principal of his academy. This raised the question, what was an evangelical church?

Mr. Noble was awkwardly placed. Among his supporters, who were anxious to secure him for the school, there were those who thought that he should make some slight concession, and might do so without harm. But Mr. Noble was of different stuff. He could not very gracefully admit that the views he held were not evangelical views. No tampering with his convictions was to be considered for an instant. To him a rational faith was not only a precious inheritance, but it was also a sacred trust, — a *transmittendum*, to be handed down unimpaired. Professor Langdell of the Dane Law School, one of the trustees, held that Mr. Noble was eligible, and President Eliot urged his selection. But the Board of Trustees, counting among them Jeremiah Smith, Andrew P. Peabody, and George S. Hale, preferred, *ex abundanti cautela*, a less outspoken heretic. The trustees themselves might reject any or all dogmas, for Governor Phillips had imposed no tests on them. But they were powerless, so they thought, to choose a principal from their own communion.

The function of a clerk of the courts is a responsible and a peculiar one. He must have a very general knowledge of the principles and practice of the law, with a considerable experience of affairs. But, above all, his honesty must be impregnable. Few public officers have such opportunities for venal corruption, masked as these are with an absolute immunity from distrust. The judge may be tampered with, but his influence is mainly advisory, and his doings are closely scrutinized. The jurymen may be bought, but his is in the main a negative control, not so much able to effect as to defeat results. The clerk of the courts has the very marrow of the cause in his single keeping. He can, if he will, make and unmake the issues at bar. Many a case turns irrevocably upon the production, at the proper moment, of some bit of paper, — a promissory note, the acknowledgment of notice received on a given day, a compromising letter, a later-dated will, — any of which might mean a fortune to some rich litigant if he could have it quietly suppressed. All these the clerk has in his unobserved control.

The cause comes to trial, and the crux of the matter has disappeared. But who suspects the clerk!

The list of clerks who had preceded Mr. Noble comprised distinguished names. There were among them, before 1840, Addington Davenport, a Rolfe, a Walley, Benjamin Pemberton, Samuel and William Winthrop, a Cushing, Andrew Henshaw, Oliver Peabody, a Sprague, Stephen Sewall, Samuel Phipps, Richard Dana, Joseph Otis, and William Tudor. After 1840 the place was filled by Joseph Willard and George C. Wilde, each of them being, by a provision of the Act of 1797, Clerk both of the Supreme Court and of the Court of Common Pleas, and each of them holding office for a very long term.

When Mr. Noble became Clerk of the Supreme Judicial Court for Suffolk County, there was no Clerk of the Courts of the Commonwealth to share the burden with him. He found the office quartered in the stone Court House in Court Square, — the Court House of the famous trials of Tirrell who escaped and of Professor Webster who suffered, — the Court House of the Sims and of the Burns rendition and of the Shadrach rescue, — the Court House in which, as a boy, I saw Judge Story and Judge Shaw preside, and Webster and Choate and Benjamin R. Curtis conducting cases. He found Justice Gray at the head of our Bench, to be succeeded as Chief Justice, during his long term in the clerkship, by Justices Morton, Field, Holmes and Knowlton. He found the waste places of the entire structure much littered with an accumulation of ancient documents and manuscripts, some of them of supreme or even of unique importance to the history of this body-politic, and all of them the prey of mould, decay and vermin, — exposed, without fit protection, to the ravages of time, of fire and of the elements. He was, like Chief Justice Gray, distinctly an antiquarian delver and a votary of the past. He needed little stimulus from the eminent jurist then presiding in our highest court to prompt him to the consecration of whatever time could be spared from his official duties to the rescue of this vanishing mass of historical material. His demand for funds was irresistible. He secured the invaluable aid of William Phineas Upham, and of a corps of accomplished women-experts, the additions to which were only limited by the size of the appropriations which could be, from time to time, secured. This

working corps, before the stint was done, came to number a dozen or more persons. Every one of them was a specialist and an earnest coadjutor in the work. One of them gave twenty-four of the best years of her life to the furtherance of this task, and another of them, twenty years, and at the close of that term was placed in charge of the completed work.

The first fruitage of Mr. Noble's thirty-three years' toil was the preparation, complete in 1883, of that part of the records of the Court of Assistants extending from 1673 to 1692. This, though not covering the earliest years, became Volume I of the projected publication, and was issued from the press in 1901. But, in 1889, the Commissioner of Public Records had embodied in his annual report a copy, furnished from the Clerk's Office, of "Records and Files in the Office of the Clerk of the Supreme Judicial Court, for the County of Suffolk," followed, from the Clerk's Office in 1890, with Part I of a catalogue of the same. In 1896 came Part II of this catalogue, and Part III was made ready for the press.

Mr. Noble procured, between 1883 and 1907, the arrangement in volumes of a mass of papers relating to the litigation of Suffolk County between the years 1629 and 1800, — a series of original documents upon which were based 175,581 separate causes, some of these causes involving a hundred papers, and the whole filling 1292 folio volumes, of an average of five hundred papers to a volume. The Alphabetical Index grew in bulk to some five volumes, — the Calendar Index of that portion of the work covering dates from 1629 to 1700, filled twenty-six bound folio volumes, — and a Date Index for the same period filled five volumes. All this material for history, — all these checks upon irresponsible misstatement and loose tradition, rescued from the attic and basement of the Stone Court House, where it had drifted who knows whence? — all this mass is now in fire-proof surroundings, where Harvard undergraduates scrutinize it in preparing the theses which earn them prizes and diplomas, and where all is made available to the general knowledge by a thorough index. It was as though some mining prospector had struck an invaluable deposit and had followed it and brought its treasures to the surface for the advantage and emolument of all the world. Happily Mr.

Noble lived to see the completion of the work. He has not left us in ignorance of his estimate of its value. This follows:

The entire collection contains not far from half a million of papers, — an aggregation larger and perhaps more important than anything of the kind to be found in this country. It cannot fail to prove of inestimable value and to give a lasting credit to the County of Suffolk which, with a wise foresight and an intelligent liberality, has so generously undertaken and borne the expense.

The bulk of the papers were brought to the Stone Court House in five huge chests, which had reposed for two or three generations in the cellar of the Old State House. These chests were thought to have been there before the Revolutionary period and while the Boston Port Bill was in force, in fact, as early as Louisburg, and to have been used as bunks by the grenadiers who stood guard for the Royal Governor in King's Street, and by the troopers who during the siege jumped their chargers in the Old South Church, to the preservation of which reconsecrated relic, a century later, Mr. Noble largely contributed. If this were so, the papers which the chests contained would have been partly scattered and destroyed. Enough for bedding remained, and here the garrison dozed and smoked their pipes and picked their flints. Buttons and scraps of torn accoutrement and bits of flint were found amongst the rack. The Old State House had been visited by two serious conflagrations. First it was a wooden Town House, built in 1657 and burnt in 1711, and again its successor was demolished in 1747; and in these the papers deposited there at the time, though carefully guarded, might well have suffered. But a great mass survived, for the courts sat there, and the mass found its way, in 1835, after many abstractions, to the Stone Court House, by way of the Court House built in 1769 where the City Hall now stands. Who knows what "Scarlet Letters" may not have perished in these upheavals? Here were duly attested copies of deeds, and wills, extracts from court records and town records, and the like, the originals of which were, says Mr. Noble, "missing beyond the memory of man." The unexampled patience, ingenuity and industry applied to piecing out these fragments gnawed by rats and otherwise dissevered were rewarded, in one instance, with the reproduction of a very con-

siderable portion of the lost records of the Court of Assistants, which was, in colonial days, the court of ultimate appeal.

When the five chests reached the Stone Court House, and were opened in 1883, the work of cleansing, repairing and mounting began. In 1890, and again in 1896, the Aldermen of Boston, sitting as County Commissioners for Suffolk, passed orders for the arrangement, publishing and distribution of the Records of the Court of Assistants of the Colony of Massachusetts Bay. In 1901 the first volume printed under these orders appeared from the Clerk's Office, covering dates from 1673 to 1692. The second volume followed in 1904, embracing the records from 1630 to 1644, and Volume III, filling the hiatus between its predecessors, is partly in print. While the first of these volumes was in press, by rare good fortune, the original five volumes of the Records of the Court of Admiralty, for the period during which the Court of Assistants sat as a Court of Admiralty, came to light and were secured and returned to the Suffolk Court House.

Much incidental work might well be chronicled, did space permit. There were documents in this heterogeneous mass of manuscript which, even under the keen eye and cunning hand of Mr. Upham, defied both interpreting and classifying, and these were filed in cabinets by themselves, and labelled "Miscellaneous." Not the least valuable of Mr. Noble's work was the preparation, from time to time, of monographs upon topics cognate to his research, and without the aid of which his *magnum opus* would be distinctly less availing. These he printed, now and then, in the publications of the American Antiquarian Society, of the Colonial Society of Massachusetts, of the New England Historic Genealogical Society, and in our own pages. In these and in other kindred bodies he was a welcome associate. Of the Colonial Society he was a charter member, and in its callow days a very active helper, its Corresponding Secretary, and always on its governing board. In our *Proceedings* the late Chief Justice Field found a worthy eulogist in him, and Chief Justice Holmes gives a happy outline of him when he writes: "He was a scholar, of course, a gentleman and a man who knew his business, and I esteemed him the more for having the sense and sentiment to back up William Upham in the preservation of our Early Records."

I close with some reference to Mr. Noble's personality and family life, necessary as this is to the full presentation of his career, yet scarcely in keeping with the quality of the man.

He married, in 1873, at Deerfield, Katharine Williams Sheldon, a daughter of the late William Sheldon, and a niece of George Sheldon, the nonagenarian antiquary of western Massachusetts, a Resident Member of this Society. Neither the Sheldons nor the Williamses of Deerfield were strangers to Indian captivity and carnage in the year of blood. She bore him a son in 1875, and a daughter in 1884. With him home life was an idyl to the end. His surroundings left nothing to be desired. He never sank the lover in the husband. He was cared for with the most tender solicitude throughout a painful and protracted illness, by the companion of his choice, who shared all his interests and tastes. The survival of the widow, with a son and daughter, bids me leave much unsaid.

No finer tribute was called forth by Mr. Noble's death than this, from one of his daughter's Radcliffe classmates, — writing from Atlanta, Georgia, — who says: "I shall always remember the many pleasant days spent in your house, and your many kindnesses towards me. My father was speaking, only a few days ago, of his first acquaintance with Mr. Noble, and of how he had been impressed by his gentleness, his delicate courtesy of manner, and his charm."

A classmate of Noble living in Austin, Texas, who had met but two members of the class since graduation, recalled him, upon notice of his death, as "one so admired and loved by our entire class" that four years of civil war and a half-century of absence and estrangement could not efface the memory.

The Honorable Alfred Hartwell, sometime Attorney-General and Chief Justice of the Sandwich Islands, writes from Honolulu of "his erect figure, and his cheerful, sincere look, — a look which always seemed to be sympathetic and understanding," — and he adds that "the familiar language of the College Prayer of our day, 'whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report,' must always be associated with thought of him."

William Abbot Everett, who knew him at Exeter, writes

thus: "His high reputation was always a matter of congratulation with all who had met him."

When, between 1850 and 1855, a few men of mark among recent Harvard graduates began to segregate themselves from the mass, and to be drawn together by the conscious need of an atmosphere of their own, then forming a group which has observed its monthly gatherings ever since, it was natural to find Noble among them. Men like Chauncey Wright, Langdell, Eliot, A. S. Hill, Gurney, Dunbar, the Wares, did not fail to stamp the little coterie with a character which the half-century since elapsed has made apparent enough. Few "enterprises of great pith and moment," in the literature, philosophy and science of our day, have failed to enlist the interest of this group of public-spirited thinkers, who enjoyed their papers from month to month, over their dole of "cakes and ale," and kept their friendships bright. Of these graduates who have never missed a monthly greeting for half a century, and whom Noble had almost never disappointed, we are fortunate in having with us as an associate, Dr. Edward Hall. He describes the group as "the most agreeable of conversational clubs, where college friends exchanged freely their professional experiences, with fresh reminiscences of the best men and things and books of the day. Now and then came a foreign visitor of distinction." Dr. Hall recalls these gatherings as leading to "an acquaintance, long and rich," the basis "upon which rested the profound impressions now so important and vivid a part of my life." And he says of Noble: "No one was richer than he in appreciative friends who loved him and believed in him, as one of the fairest fruits of our later College life."

Dr. William Everett closes a discriminating sketch, printed in the *Boston Advertiser* of June 15, 1909, with these words: "There never was a stancher friend, or one whose friendship asked less in return." Dr. Everett speaks of him as, in college, "honored and beloved," and as winning "the time-honored distinctions of his day. . . . He was first scholar in a very brilliant class. He was not merely first scholar, he was first favorite. His classmates voted him the class-day Poem, at that time the highest mark of students' regard and distinction." As a private teacher Everett found him "faultless, — very thorough, very firm, but very gentle and kind." He knew

his subjects thoroughly, he made them perfectly clear, and it was "a delight to follow his lead." There is no better authority on Latin School matters than our Cabinet-Keeper, Norcross. What he says of Noble is this: "Very successful in winning the respect and affection of both the pupils and his fellow teachers." Our associate Greenough knew him as clerk and found him "a perfectly reliable, quiet, dignified, unassuming officer." General Thomas Sherwin, a Boston Latin School pupil of his day, and a fellow trustee with him of the Roxbury Latin School, "held him in the highest esteem and regard, and was glad to feel that he was a friend." He adds: "Of scholarly tastes and attainments, and of the highest personal and intellectual truth and integrity, he brought to the work unusual capacity and fitness, and, through life, performed with rare fidelity the duties and trusts with which he was charged."¹

His discipline was rigid and he was exacting in his requirements, but he was always kindly, and his firm hand, informed by his scholarly enthusiasm, and rare judgment, and tender heart, was a silent rebuke to the hide-bound systems and

¹ Among the letters I have received from his associates is the following, written by Dr. Arthur H. Nichols:

"I entered the Public Latin School, September, 1852, being placed in the sixth, or lowest, class under Caleb Emery. Two months later the class was divided according to rank into three divisions. I was then transferred, with the second division, to the room of Mr. Noble, first usher, who had charge also of the entire third class, among whom I recall Francis Gray, Frederic S. d'Hautville, Francis C. Hopkinson, James M. Hubbard, Ellis L. Motte, Nathaniel B. Shurtleff, William B. Storer and William H. Whitmore. January 1st, 1853, I was promoted to the first division, and thus left Mr. Noble's room, to return, however, September, 1853, when the entire class came under his tuition for the following school-year. Among the pupils of the class during this year, 1853-4, were Charles W. Amory, Samuel P. Blagden, Henry U. Jeffries, Arthur Lawrence, Arthur Reed, Hiram S. Shurtleff, John Collins Warren, Charles B. Wells and James E. Wright.

"Mr. Noble impressed me as a capable, alert and cheerful instructor; kind and sympathetic; commanding the respect of the boys, whom he had the faculty of interesting in their studies. He had a quiet way of maintaining discipline and order in the school-room, though it was not apparent that he ever made any effort in that direction. Hence punishments or even admonitions were virtually unknown. By his example he inculcated the importance of cultivating the amenities of intercourse. Affable and courteous to all alike, he showed no favoritism. I do not remember that he ever enlivened the sessions by any pleasantries. His record at the school was however of the first order. I have never heard an unfavorable criticism or unkind word uttered with regard to him by any of his pupils.

"In later years it was always a pleasure to receive his cheery greeting at the Court House or at Harvard Commencement."

brutal methods which had preceded him. He became sub-master when Gardner followed Dixwell, on the resignation of the latter as master.

Mr. Justice Marcus Morton, the son of his namesake, Chief Justice Morton, writes: "I learned from my father, many years before I knew him, of all those qualities which made up the faithful and efficient public servant and true gentleman, and my own acquaintance with him, for more than twenty years, only confirmed the respect that I had inherited. The thorough knowledge of the duties of his office, his never-failing courtesy and dignity, his approachableness and patience, impressed all members of the bench and bar. His taste and learning in all antiquarian matters made his services in collecting and publishing those invaluable records of the Court of Assistants of great importance. The State was indeed fortunate to have had a man of such learning, taste and character, to dignify the office which he filled so acceptably for so many years."

Mr. Noble was destined to serve during the term of still a fifth learned Chief Justice of the Commonwealth, and again he had the fortune to impress his honor, Chief Justice Knowlton, as favorably as he had done his predecessors. This is the judgment of the present head of our bench, a fellow officer, with Mr. Noble of the Colonial Society:

"First of all, he was always and in every relation a gentleman. He knew thoroughly the law and practice pertaining to the business of the court, in all matters connected with his office, and he performed his official duties methodically, accurately, and with great courtesy to the members of the bar, as well as to the justices and other officers of the court. His scholarship and training, before he was selected for the clerkship, made him appreciative of niceties of expression in making his records, and gave him a pride in bringing the work of the office as near to perfection as possible. . . . He took a special interest in putting in form and arranging for preservation the ancient Records of the Colonial Courts, and the results, to those interested in the early history of the Colony of Massachusetts Bay, are of great value.

"For many years before his death he was one of the most active members of the Colonial Society. . . . From time to time he contributed valuable historical papers which appear

in its publications, improving to the utmost, in this particular, the opportunities that came to him as custodian of many interesting records, illustrative of the life and experiences of the early settlers of New England. His papers were written in a clear and finished style, which made them peculiarly acceptable to his associates in the management of the Society.”¹

But why rehearse what goes without saying? Surely it is epitaph enough for a public functionary to be described by everybody who knows him — judges and all — as a model in his office, and in his personal relations as above praise.

The topics of some of his printed papers disclose the strong trend of his mind, and we cite a few of them. He published in the proceedings of the Antiquarian Society for 1892 a paper entitled “A Few Notes on the Shays Rebellion.” And in the publications of the Colonial Society he printed, at various times, from Volume III to Volume VIII, “Notes on the Trial and Punishment of Crimes in the Court of Assistants in the Time of the Colony, and in the Superior Court of Judicature in the First Years of the Province”; also “Notes on the Libel Suit of Knowles *v.* Douglass in the Superior Court of Judicature, in 1748-49,” a very remarkable case, and most elaborately treated. Also, “The Records and Files of the Superior Court of Judicature, and of the Supreme Judicial Court, — their History and Places of Deposit.” Also, “A Few Notes on Admiralty Jurisdiction in the Colony and in the Province of Massachusetts Bay.” In this Society’s *Proceedings* he has printed, besides the memoir of Chief Justice Field, some remarks, made in 1899, “On the Early Court Files of 1752-1785.” Also a paper in 1902, entitled “A Glance at Suicide as dealt with in the Colony and in the Province of Massachusetts Bay.” Another paper followed in

¹ Edward Austin Waters, of Philadelphia, writes thus:

“To me he seemed ‘first, a gentleman,’ always most courteous to and thoughtful of others. He spared himself no labor where he could help, and he was so lovable in what he did that often those benefited by his acts hardly realized his own sacrifice. Yet there was no weak sentimentality in his make-up; lovable as he was, he was merciless to injustice, and it always seemed to me that he felt there were few worse sins than hypocrisy. Even a hypocrite, however, I believe he could forgive, but he would never trust him again.

“Then, his sense of humor was extremely keen; not blunted by years nor dulled by life, he could always see the gleam somewhere. It was this that kept him, to the very last, a young man, for, except in appearance, he was never old, and we friends of his son never could remember that John’s father belonged to any generation but our own.”

1905, entitled "An Incident, in 1731, in the Long Dispute of Massachusetts and Rhode Island over their Boundary Line," a difference still unsettled at the outbreak of the Civil War. And yet another paper was read the same year on "Legislation in regard to Highway Robbery in Massachusetts." These are typical subjects. There were many more.

Mr. Noble died at Roxbury, June 10, 1909, aged eighty years, and lies buried at Mount Auburn.

The following letter was received too late to be incorporated in the memoir, but is too characteristic of the writer to be overlooked, and is one of the last he dictated.

DEAR MR. RANTOUL, — Your request for material for a memoir of Mr. John Noble is a little embarrassing. I have known him as a member of an earlier generation with affection for many years. His exceptional honor and kindness were familiar traditions which my own observation has established as assured facts. But of biographical material there is almost nothing. He was, as you know, my father's classmate, and what I have just said will show my father's opinion of him. When I was twelve years old I was sent to school with his younger brother, Mr. G. W. C. Noble, whom I came to love and respect before Mr. John Noble was to me more than a name. I entered college a Sophomore, and my teaching in the work of the Freshman year was done by Mr. John Noble, whom I came to know well at about that time. He shared his office then with you. He used to visit my father's house at Cotuit, and there I came to know him better. We all looked forward with pleasure to his visits. Once established, the friendship grew. After his marriage, he and Mrs. Noble used to dine with my father and mother from time to time, and Mrs. Lowell and I were almost always invited to meet them. We dined with them in their pleasant home. The intimacy continued after my father's death in 1885. Mr. Noble's sympathy was gratefully felt by my mother, who came to know Mrs. Noble intimately and to regard her very highly. As a lawyer, I used frequently to see Mr. Noble in connection with his official duties. You know how he made his office serve important historical studies and publications. During his long last illness I went to his house several times, and there I learned a lesson not to be forgotten. A very pleasant friendship with his children ever since they were born has produced its natural results. All this, I

fear, will be of very little help to you, though it seems a good deal to me. If there is anything you would like to ask about, I will try to answer your questions more definitely.

Yours very truly,

[FRANCIS C. LOWELL.]

DEAR MR. RANTOUL, — My husband was too ill to sign this letter which his stenographer has just brought to my attention. I feel sure that you will like to have it, even though, as he says, it may be of but little help to you.

Sincerely yours,

CORNELIA P. LOWELL.

March 9th.